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Legislative Assembly of Ontario

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Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 12 December 2005

Lundi 12 décembre 2005

Speaker
Honourable Michael A. Brown

Clerk
Claude L. DesRosiers

Président
L'honorable Michael A. Brown

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 12 December 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 12 décembre 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

HYDRO GENERATION

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):

This past Friday, December 9, the Minister of Energy released the much-ballyhooed and somewhat delayed Supply Mix Advice Report, as submitted by the Ontario Power Authority. The report contained little in the way of surprises for me and most of those who have followed the energy scene. Therefore, it should have been of little surprise to the minister herself, as it was the McGuinty government that dictated entirely the terms of reference the OPA had to work with.

To no one's surprise, there is a recommendation to build new nuclear facilities in Ontario. After two years of delay, it is time to make some decisions. Our leader, John Tory, recommended some time ago that a process determining sites, desirable technologies and an environmental assessment process should have been considered and acted upon months ago. This is precisely what the report recommends, but again this government has let valuable time slip by while doing nothing.

With this government's wrong decision to refuse to consider new coal technologies, it is absolutely imperative that the nuclear decision be made as quickly as possible. The report's recommendation with regard to renewables, primarily wind, is on the optimistic side. It clearly states that with no ability to dispatch wind power, another source must be simultaneously available.

The report assumes natural gas prices at \$8, when today they are in the \$14 range. It leaves little conclusion other than that the price of power under this government's wrong coal policy is about to skyrocket.

I urge the minister to act quickly on this report. Don't leave this province in the dark because of your government's blind ideology.

ST. PETER KNIGHTS

Mr. Phil McNeely (Ottawa–Orléans): I rise in the House today to commend the St. Peter Knights of my community of Fallingbrook on their triumphant win at the Rogers Centre this past Thursday. The high school football team from Ottawa–Orléans defeated the Sydenham Golden Eagles 24-10 to become the first team from

the national capital region to win the bowl since the Ontario Federation of School Athletic Associations introduced the bowl series in the year 2000. The game was part of four regional bowl games that all took place at the Rogers Centre involving the top teams in Ontario. The Knights boast a great defensive line and a strong running game, which were instrumental in overcoming a great passing team.

I had the pleasure of meeting with the grade 12 class from St. Peter's this past Friday. Mr. John Ferguson's political science class was very enthusiastic and participated in heated discussions about the issues concerning our government today and the Legislature. There were members of the Knights team in the class. I was happy to be able to congratulate them personally on their success. I would also like to take the time to congratulate two students I know personally from St. Peter's school on their exemplary performance on the playing field last week. Running back Matt Nooyen scored an impressive five-yard touchdown, and kicker Eric Lucktenberg wowed us with an 11-yard field goal and three converts.

I commend Coach Mick and all of the St. Peter Knights for their hard work and determination which led to their victory this past Thursday. We are proud of all of our teams for the sportsmanship and team spirit that they demonstrate at every game.

VIOLENT CRIME

Mr. Garfield Dunlop (Simcoe North): Today I was honoured to be present at the Flemingdon Resource Centre here in Toronto when our leader, John Tory, released *Time for Action: A Report on Violence Affecting Youth*.

After more than two years of inaction, Liberal photo ops, broken promises and reacting without any consultation to media reports, our leader has put before the citizens of Ontario a very detailed and comprehensive report outlining 22 key recommendations. The 22 recommendations focus on three broad categories: policing, fixing the justice system, and providing youth and their families with programs to prevent crime.

Almost one year ago, John Tory called on Dalton McGuinty to convene a summit on violence affecting youth. The Premier refused. John Tory took action. John Tory provided the leadership Ontarians deserve. John Tory considers the guns and gang violence issue to be a top priority and has worked tirelessly meeting with stakeholders for the past year to compile the information

necessary to draft this report. The full report is available on www.ontarioipc.net.

Today our leader is calling on Dalton McGuinty to accept the report and act on its recommendations. We have to get tough on the criminals and get serious about helping kids stay out of trouble. We have to start saving their lives. It's time for action.

VISITORS

Mr. Kim Craitor (Niagara Falls): Let me start out by saying I'm pleased to let you know that joining us in the gallery today is a good friend of mine, the president of OPSEU Local 270, Brother Dan McKnight, with his lovely wife, Cora.

Thank you for coming out.

PILLITTERI ESTATES WINERY

Mr. Kim Craitor (Niagara Falls): There's good news from France about Niagara wines. I'm proud to announce that Pillitteri Estates Winery was awarded a rare Grand Gold Medal for its 2004 Vidal sparkling icewine at this year's Effervescents du Monde international wine competition. This competition recognizes the best sparkling wines in the world. The Grand Gold Medal is the highest honour the competition can award. Pillitteri Estates was the only North American winery to win one of the three Grand Gold Medals. Sparkling icewine is a new style of icewine pioneered in Ontario. The result is a decadent, rich sparkling wine.

This leading Niagara winery has experienced tremendous growth in the last 10 years, winning over 400 major awards.

Many in this assembly will personally know the owner of this great family winery, former Niagara Falls federal Liberal MP Gary Pillitteri. I'm sure everyone in the House will join me in congratulating the Pillitteri family and their staff, headed by winemaker Sue-Ann Staff, for this exceptional honour. It's a great recognition for our community.

LAYOFFS

Mr. Ted Chudleigh (Halton): I stand in my place today to express my disappointment in recent statements made by government members with respect to plant closings and layoffs that have occurred under their watch. The degree of insensitivity and lack of forethought found in the comments made by some of the members is appalling to me, as it should be to the rest of the members in this Legislature and all Ontarians.

We have heard that the closure of Imperial Tobacco in Guelph was an indication that Liberal policies are working. If the goal of their policies is to put people out of work, then she is correct: Liberal taxation and energy policies have gone a long way to putting a lot of people out of work in this province.

We have even heard this government say that a layoff of 3,900 workers at GM was a small contraction for those

who were affected by it—a small contraction. I would love for this government to sit down and listen to the 52,000 people in this province who have lost their jobs as a result of a crumbling manufacturing sector. Maybe the Premier needs to hear just how much of an effect a contraction, even a small one, has on someone losing their job right before the holiday season. Last Thursday, we heard a member of the government side insist that communities in which plant closings have occurred are apt to “just sit there and cry and do nothing.”

I have come to believe that the insensitive remarks made by the Liberal members of this Legislature are condoned and accepted, as not one of the members has been demoted or reprimanded in any way.

More than 52,000 Ontarians have lost their manufacturing-based jobs, and thousands more in the forestry sector. What has this government done? They've responded with, “Our plan is working.” They're calling the recently unemployed “crybabies” or referring to it as “a small contraction.” Ontarians deserve better—

The Speaker (Hon. Michael A. Brown): Thank you.

1340

HOPEWELL PLAYSENSE ACTIVITY CENTRE

Mrs. Liz Sandals (Guelph-Wellington): I'm delighted to speak today about the grand opening of Hopewell Playsense Activity Centre in Guelph last Thursday. Hopewell Children's Home provides residential care for children and adults with severe developmental and physical disabilities.

Playsense Activity Centre, administered by Hopewell, is a fully accessible sensory play centre for children with developmental disabilities. It is primarily an after-school centre, offering respite to parents and caregivers of children with disabilities. Specialized equipment and unique exploratory spaces designed to stimulate the senses let children explore and play at their own pace.

Playsense is located in the newly expanded Shelldale Community Centre, which houses numerous agencies and community groups. Hosted by Family and Children's Services, Shelldale demonstrates the creative conversion of a former elementary school into a community service hub. The Playsense Activity Centre has become a reality thanks to the extraordinary spirit of Guelph and areas four Rotary clubs. The Rotary 4 Hopewell project involved the year-long fundraising efforts of the Rotary clubs of Guelph, Guelph-Wellington, Guelph Trillium and Wellington South. The overwhelming generosity of the people of Guelph-Wellington in assisting with this project is truly inspiring.

TOWN AND COUNTRY SUPPORT SERVICES

Mrs. Carol Mitchell (Huron-Bruce): I rise today to share with this House all the good things that are happening in the riding of Huron-Bruce. The list is long, but I want to talk about one specifically: This is the

official opening of Town and Country Support Services' new senior fitness centre at the Betty Cardno Centre in Clinton. This centre features fitness equipment, a resource library and a social area. Classes will also be held in Exeter, Zurich, Brussels, Wingham and Blyth.

This project was made possible by a grant from the province and funding from the municipality of Central Huron. I just want to quote Polly Powell, who is a fitness instructor at the centre: "An active lifestyle makes a healthy aging process. It's so important as we age that we help ourselves stay fit." This is an excellent way for seniors to use physical activity to promote health.

The centre is the final portion of Town and Country's new LIFE—living independently through fitness and exercise—initiative. Congratulations to Town and Country Support Services for all of their hard work. We in Huron—Bruce look forward to receiving further community in action grant funds that will help all of the riding to meet the initiatives of staying fit.

AFFORDABLE HOUSING

Mr. Rosario Marchese (Trinity-Spadina): I just want to say that last week I had an opportunity to meet with members of the Toronto Community Housing Corp., those who are reluctant in their own buildings to represent the people living in their units. We talked about a campaign that some of the members of the Toronto Community Housing Corp. have. That is, they want to convince the provincial government to give them \$225 million so that they can fix their buildings.

I think it's an important campaign because often the Toronto Community Housing Corp. is expected to be a police station or behave as if they were police. They're expected to behave as if they were the Ministry of Community and Social Services. They're expected to behave as if they were the minister of post-secondary education, where they're supposed to be providing the training and apprenticeship programs. They are not obligated or obliged to do any of those things, simply because they don't have a mandate or the money to do that. The government gives them no support to do that. They need \$225 million that cannot come from the city, because they're broke, and can only come from the provincial government. With that \$225 million there is so much that they could do, but primarily, they could fix those buildings so that young people and the older people who live in those places don't have to live in squalor. It's about time that the provincial government, through the Ministry of Municipal Affairs, delivered on that promise. We can't wait; nor can they.

PROCTER AND GAMBLE PLANT

Mr. Ernie Parsons (Prince Edward-Hastings): I'm sure that everyone in this Legislature joins with me in welcoming the decision by Procter and Gamble to construct a new \$40-million production facility next to the current plant in Belleville. This expansion will provide for 100 new manufacturing jobs in our community.

Why Quinte? Obviously, a skilled workforce that is world-renowned; the extremely high work ethic among our population; the proximity to markets—on the pathway between Toronto and Montreal and within 500 miles of literally millions of US citizens; and transportation availability—rail, the 401 and ships—an ideal spot to manufacture.

Why Ontario? Clearly, this province is open for business, whether from our local Trenval office, which, by the way, has created over 3,000 jobs, right through to our government. Our government has a strong and clear commitment to education and jobs. This was demonstrated last Friday, when I was with Minister Dombrowsky as she announced \$2 million being provided by our government for the training of new employees. I might add that this training is an indication of the faith we have in the effectiveness of Loyalist College in Belleville.

This announcement reaffirms what we already know: Ontario is a great place to live and a great place to work.

VISITORS

The Speaker (Hon. Michael A. Brown): I would ask members to assist me in welcoming a former member, Harry Pelissero, the member from Lincoln in the 34th Parliament, who is in the members' east gallery.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr. Bob Delaney (Mississauga West): I beg leave to present a report from the standing committee on the Legislative Assembly and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill without amendment:

Bill 16, An Act respecting the Duffins Rouge Agricultural Preserve / Projet de loi 16, loi concernant la Réserve agricole de Duffins-Rouge.

The Speaker (Hon. Michael A. Brown): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

PLANNING AND CONSERVATION LAND STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI A TRAIT À L'AMÉNAGEMENT DU TERRITOIRE ET AUX TERRES PROTÉGÉES

Mr. Gerretsen moved first reading of the following bill:

Bill 51, An Act to amend the Planning Act and the Conservation Land Act and to make related amendments to other Acts / Projet de loi 51, Loi modifiant la Loi sur l'aménagement du territoire et la Loi sur les terres protégées et apportant des modifications connexes à d'autres lois.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Does the minister have a brief statement?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'll wait until ministerial statements.

MOTIONS

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move, pursuant to standing order 9(c)(i), that the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, December 12, 2005, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1349 to 1354.

The Speaker: All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Hardeman, Ernie	Patten, Richard
Balkissoon, Bas	Jeffrey, Linda	Phillips, Gerry
Barrett, Toby	Kular, Kuldip	Pupatello, Sandra
Bartolucci, Rick	Kwinter, Monte	Qaadri, Shafiq
Bentley, Christopher	Lalonde, Jean-Marc	Racco, Mario G.
Berardinetti, Lorenzo	Levac, Dave	Ramal, Khalil
Bradley, James J.	Marsales, Judy	Rinaldi, Lou
Broten, Laurel C.	Martiniuk, Gerry	Runciman, Robert W.
Brownell, Jim	Matthews, Deborah	Ruprecht, Tony
Bryant, Michael	Mauro, Bill	Sandals, Liz
Cansfield, Donna H.	McMeekin, Ted	Smith, Monique
Caplan, David	McNeely, Phil	Smitherman, George
Chudleigh, Ted	Meilleur, Madeleine	Sterling, Norman W.
Colle, Mike	Miller, Norm	Watson, Jim
Craiton, Kim	Milloy, John	Wilkinson, John
Delaney, Bob	Mitchell, Carol	Wilson, Jim
Dhillon, Vic	Munro, Julia	Wong, Tony C.
Dombrowsky, Leona	O'Toole, John	Wynne, Kathleen O.
Duguid, Brad	Ouellette, Jerry J.	Yakabuski, John
Gerretsen, John	Parsons, Ernie	Zimmer, David

Nays

Bisson, Gilles	Marchese, Rosario	Prue, Michael
Horwath, Andrea	Martel, Shelley	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 60; the nays are 5.

The Speaker: I declare the motion carried.

GLOBAL SUPPLY MANAGEMENT

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I seek unanimous consent to move a motion without notice respecting global supply management and for each party to be allowed to speak to the motion for up to five minutes, following which the Speaker shall put every question necessary to dispose of the motion.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has asked for unanimous consent—dispense?

Interjection: No.

The Speaker: Mr. Bradley has asked for unanimous consent to move a motion without notice respecting global supply management and for each party to be allowed to speak to the motion for up to five minutes, following which the Speaker shall put every question necessary to dispose of the motion. Agreed? Agreed.

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): I move that,

Whereas the clear demonstration of the Canadian commitment to maintaining strong and effective supply management worldwide has received the unanimous support of all MPPs in this Legislative Assembly,

Therefore, let it be resolved:

That the Legislative Assembly, within the framework of the World Trade Organization negotiations, reiterate its stalwart support for supply management, an agricultural products marketing model that is equitable for consumers, taxpayers, processors and producers who live thereon;

That it ascertain that the federal government maintain its support of the current supply management system; and

That the Legislative Assembly ask the federal government to mandate its negotiators to obtain, at the conclusion of the present round of negotiations, results that will enable supply management sectors to avoid a decrease in tariffs and an increase in tariff quotas.

The Speaker: Mrs. Dombrowsky has moved that, "Whereas the clear demonstration of the Canadian commitment to maintaining strong and"—dispense? OK.

The Minister of Agriculture.

Hon. Mrs. Dombrowsky: I rise today in defence of this province's agriculture industry.

Applause.

Hon. Mrs. Dombrowsky: Absolutely.

Faced with falling world commodity prices, Ontario's farmers need and deserve the assurance of everyone in this legislature that we will continue to fight for their interests.

1400

As we approach this week's ministerial meetings of the World Trade Organization in Hong Kong, it is vital that this House reiterate our deep and solid commitment

to our agriculture sector. Ontario has a thriving agri-food sector, one of the most dynamic in the country. It is an important and essential part of Ontario's successful economy. I'm very proud of the significant contributions that Ontario's producers and food manufacturers lend to Canada's healthy trade surplus and I know their continued success depends on establishing a fair trading environment for agriculture.

Ontario producers are seeking a level playing field in which to conduct their business. With literally tonnes of subsidized corn or wheat stockpiled in the United States and Europe, those world prices upon which our farmers rely are driven downward. Those world prices, depressed by heavily subsidized American and European products flooding the market, are descending to levels where our farmers can no longer meet their cost of production.

In the face of these challenges, the virtues of supply management are clear and they bear repeating. Four decades ago, Ontario's poultry farmers were struggling. They were losing their farms. At the same time, their product was increasing in value. The introduction of supply management in 1965 marked a turning point for the poultry industry. Today, that industry provides more than 5,000 full-time jobs, with related jobs employing more than 1,000 people. Under supply management, Ontario's dairy producers have thrived as well. Dairy now represents the largest sector in this province's agriculture industry, with clear and crucial benefits to our economy. The story is the same for our egg producers and pullet growers. That is why Ontario is not prepared to sacrifice the regulated marketing structures used by dairy, poultry and egg producers.

It is not simply that these farmers represent a significant contribution to a healthy rural economy and strong rural communities in Ontario, but rather, the point is that these farmers are able to ensure that Ontario consumers and food manufacturers receive some of the highest-quality, safest food in the world at affordable and stable prices.

In this context, Ontario urges the federal government to vigorously defend the interests of those sectors dependent on supply management. A successful conclusion to the Doha negotiations in Hong Kong requires real constraints on American and European support spending, which so brazenly distorts trade in agricultural goods worldwide and must include sufficient flexibility to accommodate our supply-managed producers. We can settle for no less.

I ask this assembly to send a loud, unanimous message to our federal government as its negotiators prepare for the talks in Hong Kong. I want us to say clearly that our supply management system should not be a bargaining chip. It must not be negotiated away. Whatever the outcome of this federal election, I repeat my challenge to our colleagues in Ottawa: Defend our agriculture sector internationally. In the face of unprecedented subsidies in the United States and Europe, Canada's federal government must be vigilant in bringing our farmers' interests to the table. I call on this House to reaffirm that message today.

I also want to take this opportunity on behalf of the government to thank Ontario's agriculture producers, and we have some people joining us in the government gallery today: Bill Emmott from Dairy Farmers of Ontario; Harry Pelissero, general manager of Ontario Egg Producers; Tom Fleming, vice-chair of the Ontario Broiler Hatching Egg and Chick Commission; and Adrian Rehorst, a member of the board of the Chicken Farmers of Ontario. We're delighted that they're here today as well.

Their hard work, their commitment to excellence and the contributions they make to their communities are a source of pride for all of us in Ontario.

Mr. Toby Barrett (Haldimand-Norfolk-Brant): On behalf of John Tory and the PC opposition caucus, just let me start out by declaring that our support for supply management is 100%, and I say 100% without equivocation. For example, 100% of our sitting members have affixed their signatures in support of FarmGate5.

As opposition ag critic, I have attended many farm meetings across the province and I do hear reason for alarm. Frankly, with the WTO talks this week, I am worried about supply management. I'm also worried about farm families involved in cash crop, involved in beef, tobacco, and fruit and vegetable. Every commodity seems to be either in a full-blown crisis or anticipating one in the near future. At times like these, it's vital to ensure that government and society at large understand the nature of the crisis that's knocking at our doors. A perfect storm, if you will, exists this week with the WTO negotiations, the corn countervail decision coming up and the pre-Christmas run-up to the federal election. Clearly, for farm and rural Ontario, the time is now to get out there and to take action.

As members would know, supply management has long been the strength of poultry, egg and dairy farming in Canada, and any threat to that system must be seen as a threat to the well-being of rural Canada. I do raise the question, what would rural Ontario look like without supply management? I know what it was like before supply management. We had dairy, we had broilers, we had laying hens, we had hatching eggs; this was all before supply management. It was great work, but we were losing money. We were losing too much money, way too much money. At the time, we got big, and then, on the advice of the bank, we got out. That was the reality for my family farming operation, and that's the reality for much of Ontario without supply management. We do not want to go there again.

For these reasons, I am proud to report our support for supply management, 100% support, as I indicated. Again, 100% of our members affixed their signature to the document. It's a document being circulated by a collective effort described as FarmGate5, made up of the supply-managed sectors, who are seeking nothing more than a balanced trade deal that benefits all farmers. FarmGate5, as we would know, includes the Dairy Farmers of Ontario, the Chicken Farmers of Ontario, the Ontario Egg Producers, the Ontario Turkey Producers'

Marketing Board and the Ontario Broiler Hatching Egg and Chick Commission.

As you've heard, supply management works on the basis of three very important pillars: import control, producer pricing and production discipline. Like any three-legged stool, if one pillar is weakened, the entire system is compromised. For example, without import controls, production discipline becomes impossible, and without production discipline, pricing becomes impossible. Supply management, as the name suggests, balances supply and demand and prevents overproduction, flooded markets and depressed prices for farmers.

We must, together in this House, stand strong and continue to do all we can to lend our unequivocal support for supply management in the face of the reality that some trading partners have not lived up to the last WTO agreement in terms of market access or subsidy reductions.

As opposition leader John Tory noted last week, support for our farmers, supply-managed or not, becomes even more essential when you consider the fact that farm incomes in Ontario during this government's first year in office were 72% below the average for the past five years. Compare that to Canada, where we saw a reduction of 3.5%.

Clearly, government must stand firm. We all must stand firm for values like fairness, our ability to choose made-in-Canada food, and a stable income for our farmers without expensive taxpayer-funded initiatives. We need leaders to secure a fair trading environment that lets Canadians determine the type of agriculture we want: the type of agriculture we want today and the kind we want in the future.

1410

Mr. Howard Hampton (Kenora-Rainy River): New Democrats firmly support the unequivocal protection and expansion of our five supply-managed products, as represented by the Dairy Farmers of Ontario, the Ontario Egg Producers, the Chicken Farmers of Ontario, the Ontario Turkey Producers' Marketing Board and the Ontario Broiler Hatching Egg and Chick Commission.

Canada must ensure that all of our supply management sectors are sustained and protected as sensitive products at the World Trade Organization meetings this week in Hong Kong. Anything less is simply unacceptable. We know that the United States and the European Union want to significantly reduce the percentage of Canadian products categorized as sensitive, and this must be vigorously and successfully opposed.

Farmers in our supply-managed sectors are legitimately concerned. They are concerned because the Martin Liberals have given signals that our supply-managed commodities may not all survive the current round of WTO negotiations and agreements. The federal Liberals are sending out mixed messages as to whether they will unequivocally protect our supply management programs. The United States wants 1% under the sensitive product category. We currently need 11% included under the

sensitive product category to cover our entire supply management sector. Yet the federal government's chief trade negotiator has said that the federal government is prepared to compromise on supply management to get an agreement. A compromise on the 11% means sacrificing some of our supply-managed sectors. There can be no compromise in this regard.

If I may, one of the things we need to be wary of is that we have gone to great lengths in the past in order to get agreements with our American neighbours, only to find that on softwood lumber, on pork, with respect to the Canadian Wheat Board and also with respect to beef, they will look for any excuse to ignore the agreements and any excuse to impose trade embargoes or other trade sanctions. In the complex trade negotiations this week in Hong Kong, our trade negotiators need very clear instructions that our supply-managed agricultural products are not on the table to be traded away. We should not allow and we cannot allow Canadian trade negotiators to trade away our supply management sector and its crucial economic importance to our economy and rural way of life in attempts to gain other trade concessions in other sectors. As I remarked earlier, trying to entertain that strategy has not worked for Canada before. We have come away from too many trade negotiation processes believing that we've achieved something that we can enforce in terms of international trade tribunals or something that our American neighbours will live with, only to discover after the fact that their interpretation of the agreement means to them that they can do whatever they wish.

It is important to maintain supply management for at least three critical reasons: (1) because it provides Canadian consumers with reasonable, fair and predictable prices for the commodities that are subject to supply management; (2) it provides a predictable market overall—we do not have shortages, nor do we have overproduction; and (3) for farmers, it ensures that their costs of production are covered and it ensures that they can make a fair living.

It seems to me that we ought to be applying or seeking to apply those kinds of outcomes to other areas of agricultural production, not looking for opportunities to give away some of what we've successfully included under supply management categories. So New Democrats are unanimous in our support for this resolution. We must sustain supply management. We should not put Canadian farmers at risk of international market conditions which lead to lower prices, to unpredictable markets and to farmers not being able to stay on the land and continue to produce.

The Speaker: Ms. Dombrowsky has moved:

"That whereas the clear demonstration of the Canadian commitment to maintaining strong and effective supply management worldwide has received the unanimous support of all MPPs in this Legislative Assembly, therefore, let it be resolved:

"That the Legislative Assembly, within the framework of the World Trade Organization negotiations, reiterate its stalwart support for supply management, an agri-

cultural products marketing model that is equitable for consumers, taxpayers, processors and producers who live thereon;

"That it ascertain that the federal government maintain its support of the current supply management system; and

"That the Legislative Assembly ask the federal government to mandate its negotiators to obtain, at the conclusion of the present round of negotiations, results that will enable supply management sectors to avoid a decrease in tariffs and an increase in tariff quotas."

Is it the pleasure of the House that the motion carry? Carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

LAND USE PLANNING

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Today, I'm proud to introduce the Planning and Conservation Land Statute Law Amendment Act, 2005. If passed by the Legislature, this bill would bring Ontario's land use planning system and the Ontario Municipal Board into the 21st century.

Reforming Ontario's land use planning system is a cornerstone of our government's commitment to build strong, healthy and liveable communities. It is crucial to our plan to reduce urban sprawl, preserve green space and protect our natural resources.

Over the next 25 years, our province is expected to grow by four million people. Current patterns of growth place a heavy strain on our infrastructure, contribute to shifting gridlock, negatively affect our air quality and threaten to reduce the province's economic competitiveness and quality of life.

Better planning will lead to better development: the more compact, energy-efficient, green, transit-friendly developments that Ontario will need if we are to maintain our economic prosperity and quality of life in the 21st century.

Our proposed legislation would support this kind of sustainable growth across the province by giving municipalities the tools they need to ensure good development in their communities.

What does good development mean? It means communities where new buildings fit in with the character of the rest of the neighbourhood; where old, abandoned industrial sites are redeveloped and rejuvenated into vibrant, multi-use neighbourhoods; and where people can move around freely and not always be stuck in endless traffic.

Our proposed legislation would mean that municipalities would have new authority to set conditions for how new subdivisions are designed in ways that maximize energy efficiency and include transit- and pedestrian-friendly design elements along streets and highways.

We're proposing to give municipalities more powers to shape the look and feel of their communities through new authority to consider external design details when they approve site plans.

Good development is also the product of thoughtful decision-making and an engaged citizenry. The proposed reforms would support these goals by shifting requirements for complete information about planning and development, public consultation and overall decision-making to the front end of the planning process. This means a more central role for residents and local councils in the planning process.

These reforms would, if passed, make municipalities and local councils more accountable for planning matters and help reduce the number of appeals to the Ontario Municipal Board as well as the duration of hearings.

For example, hearings before the OMB would generally be limited to material that had already been provided to municipal councils and the public. The OMB would also be specifically directed to have regard to decisions made at the municipal level. Municipalities would also be able to establish local appeal bodies whose members would include local residents to deal with matters of purely local significance.

1420

Under the proposed reforms, the OMB would continue to provide Ontario citizens with a mechanism to appeal land use planning decisions. It will continue to have an important role, but we are proposing to modify that role to focus more on matters that have the greatest impact on the broader public interest.

We are also suggesting a number of administrative reforms to the OMB to the Public Appointments Secretariat, which is conducting a review of Ontario's agencies, boards and commissions. For example, we want to ensure that persons named to the OMB are the best-qualified people to hear appeals of planning decisions that affect our Ontario municipalities. We also want to establish a citizen liaison function to help members of the public navigate the OMB process, making it more accessible.

Our proposed reforms would provide clearer rules and a more transparent process for the public, municipalities and all parties involved in planning our communities. In the long term, they would help minimize lengthy delays and confusion about how the planning process operates, while supporting important goals of important sustainable growth and development.

Over the last two years, the province has consulted extensively on planning reform issues. During these consultations, we heard from thousands of people and organizations, including municipalities, planners, developers, ratepayers, environmental groups and many other members of the public on what changes we needed to make to Ontario's planning system. The proposed legislation is the result of that lengthy consultation process, and we will continue to work with our municipal partners, the public and all the stakeholders to ensure that we plan for the kinds of communities that Ontarians want and deserve.

Our proposed legislation is one part of our broader vision for shaping Ontario's future. So are the new provincial policy statement; our greenbelt plan; the Strong Communities (Planning Amendment) Act and the Places to Grow Act; the proposed growth plan for the greater Golden Horseshoe; and most recently, our proposed Clean Water Act. Taken together, all of these initiatives will help make the vision real. And with the bill that I've proposed today, we are again delivering on our commitment to build stronger, more vibrant and more sustainable communities.

FAMILY HEALTH TEAMS

Hon. George Smitherman (Minister of Health and Long-Term Care): I rise today to advise you and this House of the latest development in our government's plan to deliver on three key health care priorities. The priorities we identified earlier in our mandate are healthier Ontarians, reduced wait times and better access to nurses and doctors. As all members of this chamber will know, we're delivering on all three, and family health teams are a big part of the reason why.

Family health teams are exactly the kind of interdisciplinary team model experts like Roy Romanow for years have been calling for, bringing doctors, nurses, nutritionists and other health care professionals together under one roof to offer a complete package of care. We've already established 69 family health teams across Ontario. Last Friday, we announced the creation of 31 more, to be located in the following communities: London, St. Marys, Stratford, Listowel, Sauble Beach, Erin, Palmerston, Beamsville, Paris, Niagara Falls, Smithville, Oshweken, Mississauga/Etobicoke, Toronto, Markham, Fenelon Falls, Bancroft, Athens, Rockland, Carp, Penetanguishene, Iroquois Falls, Kirkland Lake, Little Current, Vermilion Bay, Schreiber and Atikokan.

These 31 new family health teams will include more than 250 doctors and approximately 225 other health care practitioners. This second wave also brings us to two thirds of the way toward our commitment of 150 family health teams by 2007-08. More importantly, they will provide thousands of Ontarians with access to nurses and doctors, many of whom today do not have that access. And let me point out that our fundamental commitment to accountability dictates that we will be reporting progress, including progress on the number of previously orphaned patients who will now have access, who will no longer be orphaned.

Doctors working in a family health team model can provide more care to more patients than doctors working in a solo practice. Access is also enhanced because teams offer after-hours and weekend coverage, and the patients have access to a telephone health advisory service after hours. These teams don't just help those who are sick. They work at keeping people healthy, providing one-stop shopping for a wide range of health care services based on the needs of the community.

Patients aren't the only ones who benefit. Family health teams are also a very attractive model for doctors and other health care professionals, allowing them to share their workload with colleagues and providing them with greater flexibility and balance in their work and in their home lives. They're a model of primary care reform that truly works, a model that previous governments have tried to introduce with only limited success. We have been determined to make this model a reality, and I'm proud to report that we are succeeding.

When we made the announcement on Friday, one of the speakers was Dr. Geordie Fallis, who is the chief of the department of family practice at Toronto East General Hospital. He'll be working in the new family health team at Toronto East General, and he had this to say: "There is no heavier burden than a great potential." Then he thanked this government "for providing us with this opportunity to develop our potential."

Today's second wave of family health teams is a big step forward. We're developing a great deal of potential, but our work is by no means complete. I'm pleased to announce that we are launching a second call for applications. The ministry is now accepting applications for groups wanting to be chosen as one of the final 50 family health teams. This second call opens today and will close on February 15, 2006, and the process is open to repeat and new applicants alike.

Let me tell you a little bit more about how family health teams fit into our bigger plan for health care. They stress health promotion and disease prevention, because these efforts are just as important as treating minor ailments and managing chronic diseases in the overall health care scheme of things. This is true health care, as opposed to illness care, and it saves lives as well as health care dollars. By providing comprehensive care closer to home, and thereby reducing the need for emergency room visits, family health teams will ease the strain on our hospitals and reduce wait times. That means our hospitals can deliver the acute care they were designed to deliver and they can deliver it faster. Above all else, family health teams will improve access to nurses and doctors. They represent the future of health care, and it's a future this government is very proud to be shaping.

INTERNATIONAL HUMAN RIGHTS DAY

JOURNÉE INTERNATIONALE DES DROITS DE L'HOMME

Hon. Michael Bryant (Attorney General): I rise in the House today to mark International Human Rights Day, which was recognized around the world this past Saturday, December 10. It was on that day in 1948 that the Universal Declaration of Human Rights was adopted by the General Assembly of the United Nations in the shadow of the horrors of the Second World War, and the Holocaust in particular.

Cette oppression était la preuve que le monde avait besoin d'une déclaration universelle des droits fondamentaux de la personne.

The declaration was adopted by a world community determined to define a set of minimum standards to which all could be held to account. Canada has always played an important role in the advancement of human rights around the world. The current United Nations High Commissioner for Human Rights is Louise Arbour, a former judge of the Ontario Court of Appeal and the Supreme Court of Canada. It was a Canadian lawyer, John Humphrey, who spearheaded the drafting of the universal declaration.

Ontario has a proud record of leadership in protecting human rights. It was in 1962 that our province introduced the Ontario Human Rights Code, the first comprehensive human rights code in the nation. This past November, at the justice ministers' meeting in Whitehorse, provincial and federal justice ministers agreed to hold a gathering of justice ministers and ministers responsible for human rights in 2006. It is the first such meeting that will take place in some 17 years. It is long overdue and I'm looking forward to it.

Ontario's strength comes from the diversity of its people. The citizens of Toronto, for example, speak more than 100 different languages, and the city has the highest proportion of foreign-born residents—44%—in the world.

Discrimination and racism in any form is a violation of human rights and human dignity. It weakens humankind and must be fought wherever it is found. This is particularly true when it comes to hate crimes.

1430

The need for responsive policies and programs that aim to prevent hate crimes in Ontario is clear. The McGuinty government has established a Hate Crimes Community Working Group to provide expert advice and proposals for solutions to combat hate crimes in Ontario. This past Friday, Minister Kwinter and I announced the appointment of the chair and members of the working group. This group will make recommendations on ways to improve services for victims of hate crimes and prevent such crimes and victimization.

Three members of the working group are with us here today in the gallery: The chair, Karen Mock, and members Ijaz Qamar and Howard Shulman. I know the Legislature welcomes them all.

Protecting human rights is everyone's responsibility. We all have an obligation to respect each other's rights, to speak out and act out against discrimination. On this International Human Rights Day, let us celebrate the achievements that have been made toward universal human rights. Let us all take a moment to think how each and every one of us can contribute to a better and more humane world.

And may I say, on this December 12, which happens to be my mother's birthday—Mom being someone who certainly would affirm International Human Rights Day—happy birthday, Mom.

RURAL STUDENT SUCCESS PROGRAM PROGRAMME AXÉ SUR LA RÉUSSITE DES ÉLÈVES EN MILIEU RURAL

Hon. Gerard Kennedy (Minister of Education):

Our government is committed to seeing that all Ontario students get the best education possible. Giving our students a good educational foundation leads to a better future, not just for them, and a more prosperous Ontario for all of us.

Students in Ontario's rural schools are no exception. That's why this morning I visited Lord Dorchester Secondary School, near London, along with a number of my colleagues, including the Minister of Agriculture, Food and Rural Affairs and the Minister of Labour, to announce the rural student success program to improve the viability of rural schools, increase graduation rates for rural students and encourage more students to pursue post-secondary education. This program includes a \$10-million lighthouse program, a new rural-experience emphasis in the curriculum and new e-learning pilots. I know the members opposite are interested in the kinds of things that are finally happening through the rural student success program, putting rural schools on an equal footing with their urban counterparts and making sure that there is equal success for the 75,000 rural high school students in this province.

Le programme axé sur la réussite des élèves en milieu rural mettra les écoles secondaires rurales sur le même pied que celles des régions urbaines afin d'améliorer les chances de réussite des 75 000 élèves qui les fréquentent.

We know that when young people have access to good education in local schools, our communities can grow stronger. The government is committed to supporting the role schools play as hubs and indeed hearts of our thriving rural communities.

We are very well aware of the challenges that rural high schools face. This program recognizes the uniqueness of these schools, helps to enhance the learning experience for students and encourages students to stay in rural high schools instead of electing for larger urban ones.

Let me give a bit more detail on the rural student success program. The lighthouse program will provide 25 to 50 of our 144 high schools with \$100,000 to \$200,000 of additional annual funding in each of the two years. This is the latest instalment in what is now a rural funding formula, which has been asked for for a long time and is only now available to support rural students; \$20 million was provided earlier this year. Since 2002-03, over \$200 million in new annual funding targeting the needs of rural students has taken place. That is a separate fund of \$230 million in one-time capital funding—funding for libraries, energy retrofits and trying to catch up some of the issues. It includes money for transportation. Some of the members opposite, I think, will want to applaud that component.

The rural student success program will adapt the high school curriculum to provide more options to rural

students. It will include for the first time a rural and farming major as part of the recently announced specialist skills diploma. Students will have the option to bundle six to 12 farming and related courses to get a specialist designation for their diploma, new rural and agricultural related co-operative courses and, for the first time, ministry-recognized external programs will be eligible to count for credit, such as the 4H program.

An extensive e-learning pilot project will increase the diversity of courses available at rural schools by providing for the first time a provincial platform that will enable students to take the same course from a variety of locations.

The rural student success program is another component in this government's student success strategy to ensure that all students will receive a good outcome from their high school education. This strategy announced by Premier Dalton McGuinty includes a government target to increase the graduation rate to 85% by 2010, up from 68% when the government took office and 71% in 2004. This is a bold target, but we must be bold because that is what Ontario students deserve. It is why our government is committed to strengthening rural education; it is a key to improving the quality of life in the communities and boosting the economic development potential of rural Ontario and our province's prosperity. I look forward to working closely with the Minister of Agriculture, Food and Rural Affairs on that exact issue.

Cette initiative essentielle permettra d'améliorer la qualité de vie dans ces collectivités et de renforcer le potentiel de développement économique de l'Ontario rural de même que la prospérité de la province.

The Speaker (Hon. Michael A. Brown): Responses?

LAND USE PLANNING

Mr. Ernie Hardeman (Oxford): A couple of quick words to the Minister of Municipal Affairs and Housing on introducing the reforms to the Planning Act and the Ontario Municipal Board. I guess I should start off by saying I would share the opinion expressed by Ann Mulvale in her response to the minister's statement: "Our shared desire to reform the Planning Act, and more specifically the Ontario Municipal Board, is a good example of where our interests align. I cannot imagine that you would find a single municipality that would endorse the OMB in its present structure or a single municipality which would not support the government's commitment to changing it." I think we all share that commitment. For two years we've been waiting for the minister to come forward with the proposal to reform the Ontario Municipal Board.

I just want to point out that what the government says and what they do is not always the same thing. We get a lot of promises, but then they don't come through on what they're promising to do. One of the things in the statement that the minister was speaking about was that the Municipal Board will now have to "have regard to" the municipal bylaws and the municipal official plans. I want to point out that it wasn't good enough for the

minister when the municipalities must "have regard to" the provincial policy statements. He changed those words to "be consistent with" in order to make sure that municipalities did exactly what the province wanted done. Obviously, he's not willing to give the municipalities that same respect that he wanted for the province when it comes to the Ontario Municipal Board.

The other thing I want to point out very quickly is that when we talk about giving respect to the municipalities and suggesting that the Planning Act is going to allow them more authority to develop communities as they see fit, there are 16 new conditions that they must meet where they must be consistent with provincial policy statements in order to deal with their local planning. This isn't downloading responsibilities to municipalities, this is uploading to the province. They're going to develop our province.

FAMILY HEALTH TEAMS

Mrs. Elizabeth Witmer (Kitchener-Waterloo): I'm pleased to respond to the statement by the Minister of Health regarding the family health teams. This government loves to make announcements. They have very little substance, however, behind them. This is a lot more rhetoric. We know that of all the family health teams that have been announced, only one is fully operational; the rest are not near.

The minister also did not mention that this primary care reform was introduced by our government, beginning in 1997 with seven pilot projects. What we're seeing is an evolution of family health teams.

The other thing the minister didn't mention, and I heard from my colleague here, is that as he goes around to communities to announce these family health teams, the family health teams say, "Listen, we don't need the minister to come and tell us we're a family health team. We've already been operating in that way."

So, do you know what? A lot of hot air, a lot of noise, very little in the way of improving access for people in the province to doctors and nurses.

RURAL STUDENT SUCCESS PROGRAM

Mr. Toby Barrett (Haldimand-Norfolk-Brant): To the Minister of Education: For two and a half years, various citizens groups, coalitions across the province, have been writing letters to you as education minister, pleading with you to keep high schools open. The question remains, is this all for naught? There are 144 rural high schools across Ontario. This course program helps 25 or so high schools. The question remains, what about the others? What about those schools that are threatened with closure? I sincerely hope they will remain open in the future.

I will say, however, I am pleased to see there is a promise here—I hope it's more than a promise—for a farming and a rural major in high school. I used to teach high school agriculture and that course in the province of Ontario was eliminated 30 or 35 years ago. I do hope you

keep your promise and bring back high school agriculture.

1440

You know, this Ontario government continues with periodic announcements and promises of support for rural schools, but when it comes to action, the Minister of Education has yet to step up to the plate. We're still waiting for the long-promised funding formula, the changes, for our rural schools; we're still wondering when the school closure moratorium will have some teeth; and we're still looking for some hard details on that \$20-million announcement. What school has reached that funding? What board has achieved that funding? In my riding, for example, Communities Advocating Rural Education, a member of the Coalition for Small Schools, has been questioning the continued waiting game faced by our rural schools. They've put this in writing, and they would like to see a transfer of funds directly to boards and to schools.

Mr. Rosario Marchese (Trinity-Spadina): The Minister of Education says that one-size-fits-all doesn't work. We agree with that. Unfortunately, we don't see a new funding announcement here. This is the same Mike Harris formula with a few frills. The announcement will not keep small schools open and doesn't fix the transportation problems the Tories created, which this government is continuing with.

Rural communities need real solutions. On the transportation front, what we've seen is this minister taking money from 33 boards to give to 40 other boards. We think that was not a real solution. The government is proud of that, but taking money from one board to give to another doesn't solve the transportation problems. We have been looking, and rural communities are waiting, for real transportation policies from this minister and this government. We have yet to hear one.

On small school closures, you'll remember that mon ami Monsieur Kennedy at least introduced a moratorium in 2004, and while we had a moratorium, small schools were closing. People for Education said that 15,000 students will be displaced by school closings within the next two years, bringing to over 23,000 the total number of students whose schools have closed since 2004. Forty-four schools closed in 2004, 36 in 2005, and school boards are saying that 19 are slated to close in 2006. The average size of secondary and elementary schools continues to decline at a rate that will make further school closings inevitable. Mr. Kennedy is telling school boards to hold on closings while at the same time underfunding small rural schools. Making announcements such as this does nothing to solve those main problems. Those who are expecting real solutions to the problems I have identified will be severely disappointed with this announcement.

LAND USE PLANNING

Mr. Michael Prue (Beaches-East York): The Minister of Municipal Affairs and Housing likes to stand

in this House so often and talk about municipalities being an equal order of government, and yet today we see that he continues with the archaic and arcane policies of the Ontario Municipal Board. This is the only province in Canada that has such a board.

In opposition, the Minister of Citizenship used to call for the abolition of that body. He used to say it was archaic, antiquated and unelected. But what do we see today? We see only minor tinkering at the edges. In the minister's own words, "It will continue to have an important role, but we" will "modify that role." That's all that's happening here today: a little bit of modifying. If you look at the actual words here, instead of using the words, "be consistent with" or "be bound by" what municipalities have to say, you say "have regard to," the weakest possible judicial instruction there can be. That's what you're doing. When you look at the optional local appeal bodies, I cannot imagine something that would be more weak or more useless. It's only available to some municipalities, they have to find the funding for it and they have to go through a whole process to make it different. They're not likely to ever do it. And all that's involved are tiny, little decisions that are made by committees of adjustment on minor variances of such things as the length of a building, the width of a lot or the floor space index. That's all it's going to do. What a small, small piece of legislation.

FAMILY HEALTH TEAMS

Ms. Shelley Martel (Nickel Belt): With respect to the statement made by the Minister of Health, the minister previously announced 69 family health teams. It would be interesting to know how many have actually been established, and that's the question of the day. We know that half of those that were previously announced were already existing group practices which were converted to a new model. Many went from family health networks to family health teams. So there was no net gain of new doctors and no net gain of people being served. It'll be interesting to see how many in this new round are in a similar situation.

Secondly, in the last round of announcements and in this one, over half of the ones announced were not for underserved areas. I thought the point of the exercise was to make sure we had primary health care going to those communities most in need. There are 102 communities in the south and 37 in the north that are on the underserved area list. I don't know why the vast majority of family health teams aren't in underserved areas.

Finally, with respect to nurses, they are critical to health care. I wonder why they don't have a primary role in family health teams. When I asked the minister in estimates how many new nurses were being hired in family health teams, he said, "Family health teams are reporting zero"—

Interjections.

The Speaker (Hon. Michael A. Brown): Order.

DEFERRED VOTES

BUDGET MEASURES ACT, 2005 (NO. 2)

LOI DE 2005

SUR LES MESURES BUDGÉTAIRES (N^O 2)

Deferred vote on the motion for second reading of Bill 18, An Act to implement 2005 Budget measures and amend various Acts / Projet de loi 18, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2005 et modifiant diverses lois.

The Speaker (Hon. Michael A. Brown): Call in the members. This will be a five-minute bell.

The division bells rang from 1447 to 1452.

The Speaker: Mr. Duncan has moved second reading of Bill 18, An Act to implement 2005 Budget measures and amend various Acts. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Duncan, Dwight	Patten, Richard
Balkissoon, Bas	Gerretsen, John	Peters, Steve
Bartolucci, Rick	Hoy, Pat	Phillips, Gerry
Bentley, Christopher	Jeffrey, Linda	Pupatello, Sandra
Berardinetti, Lorenzo	Kennedy, Gerard	Qaadri, Shafiq
Bradley, James J.	Kular, Kuldip	Racco, Mario G.
Broten, Laurel C.	Kwinter, Monte	Ramal, Khalil
Brownell, Jim	Lalonde, Jean-Marc	Ramsay, David
Bryant, Michael	Leal, Jeff	Rinaldi, Lou
Cansfield, Donna H.	Levac, Dave	Ruprecht, Tony
Caplan, David	Marsales, Judy	Sandals, Liz
Colle, Mike	Matthews, Deborah	Smith, Monique
Cordiano, Joseph	Mauro, Bill	Smitherman, George
Craiton, Kim	McMeekin, Ted	Takhar, Harinder S.
Crozier, Bruce	McNeely, Phil	Watson, Jim
Delaney, Bob	Meilleur, Madeleine	Wilkinson, John
Dhillon, Vic	Milloy, John	Wong, Tony C.
Dombrowsky, Leona	Mitchell, Carol	Wynne, Kathleen O.
Duguid, Brad	Parsons, Ernie	Zimmer, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Arnott, Ted	Jackson, Cameron	Prue, Michael
Barrett, Toby	Klees, Frank	Runciman, Robert W.
Bisson, Gilles	Marchese, Rosario	Sterling, Norman W.
Chudleigh, Ted	Martel, Shelley	Wilson, Jim
Dunlop, Garfield	Miller, Norm	Witmer, Elizabeth
Hampton, Howard	Munro, Julia	Yakubski, John
Hardeman, Ernie	O'Toole, John	
Horwath, Andrea	Ouellette, Jerry J.	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 57; the nays are 22.

The Speaker: I declare the motion carried.

Shall the bill be ordered for third reading? Agreed? So ordered.

ORAL QUESTIONS

HEALTH SERVICES

Mrs. Elizabeth Witmer (Kitchener-Waterloo): My question is for the Minister of Health. When you made your long-awaited announcement about Ontario's wait

times in October, you said, "We all know that if there is one yardstick by which everyone measures health care, it is wait times." When you announced the wait times Web site, you said that this was data that was going to be updated on a bi-monthly basis. Can you tell us today whether the wait times have decreased since July?

Hon. George Smitherman (Minister of Health and Long-Term Care): As the information is being posted and made available to Ontarians on a bi-monthly basis includes wait times over a wide variety of procedures in dozens of different hospitals, it would be very challenging to answer in a yes or no case to the honourable member's question. I can tell the honourable member that the investments that our government has made, including the development of a wait times Web site that for the first time gives Ontarians the opportunity to take a look, are an important point of transparency.

Today we celebrated a very significant milestone in the journey to reduce wait times, and that is that a pan-Canadian approach, for all jurisdictions, with respect to wait time benchmarks was brought forward, and that is something that has been heralded by many as a significant turning point for health care in our country.

Mrs. Witmer: I didn't hear an answer; I heard a lot of fluff. I would say again that, according to numbers that we have obtained directly from your ministry, wait times for the latest months available, August and September, have increased in all five of your so-called priority areas. Minister, according to your own leaked wait times data, wait times for cancer surgery in Ontario are up 9% since you started publishing data on how long people are waiting for care.

You said you were increasing the number of cancer surgeries performed. Can you explain why Ontarians are now starting to wait even longer for cancer surgery?

Hon. Mr. Smitherman: The first thing we need to remind the honourable member of is the deplorable state of circumstances—

Interjections.

Hon. Mr. Smitherman: Wait for it.

Interjections.

The Speaker (Hon. Michael A. Brown): Order. Minister of Health?

Hon. Mr. Smitherman: The point that my honourable friends were very desirous of not hearing was that the circumstances that they left to the people of the province of Ontario were such that we didn't even have the capacity to measure the number of cancer surgeries being provided. This honourable member who asked the question today was the longest-serving health minister in a government that was largely exited from office on the basis of its performance in health care.

We committed to the people of the province of Ontario that we would work with them to reduce wait times in five key areas by the time of the next election. We've begun to capture that information with a registry, wait times data available to people, and it will be posted every couple of months. People will take the opportunity

to follow that and to judge us on our performance, and I think they will be very positive about it.

Mrs. Witmer: This minister was full of huff and puff this morning about wait times, and when we ask him for an answer, he doesn't have one. It doesn't matter how you cut it, wait times for angiography and angioplasty are up. Again, according to your own leaked wait time figures, patients waiting in Ontario for cardiac care are facing a 22% increase in wait times for both angiography and angioplasty procedures. In July of this year, the average wait from referral by a specialist to treatment for an angiography was 18 days; it was 22 in September. In July, angioplasty procedures was nine days; by September, that number had jumped to 11 days.

Minister, these are part of what you boasted were your priority areas. Why should Ontarians have any confidence in anything you say about meeting wait times?

1500

Hon. Mr. Smitherman: I'm not going to follow the tone of the honourable member because that would have the effect of disparaging the fact that across the province of Ontario today, as we speak, hundreds and hundreds of experts—doctors and nurses and those working on the front lines—are diligently deploying their best skills with a view toward helping the people of Ontario access health services more quickly.

Part and parcel of this is that we've begun to capture data and update it and make it available every couple of months. As you introduce new measurement capacities, it takes some time for the reliability of the data to become more reliable. This is, of course, part and parcel of it. The reality cannot change. The reality is that we've made significant new investments, new services. The honourable member has her record to rely upon, and that is the one that got her party exited from office.

Mrs. Witmer: Under the watch of this government, wait times are going in the wrong direction. Minister, according to your own leaked figures, median wait times for cataract surgery in Ontario are up 16% since July. As of July 2005, patients needing cataract surgery were waiting on average 139 days from referral by a specialist to receiving treatment. The number went up to 142 days by September.

Again, I ask you, Minister: Why, under your watch and despite all the rhetoric, are Ontarians waiting longer for cataract surgery?

Hon. Mr. Smitherman: The protestations from the honourable member aside, she presents no evidence for this circumstance. What Ontarians will be able to determine on their own very soon is to look on a Web site and to measure this, not just on the basis of the honourable member's desire to do so, but on the basis of a person able to measure for themselves what the circumstances are, as an example, in their local health integration network or at their local hospital.

We're at the beginning stages of this. We've had one set of numbers put up there. There's a broader number of hospitals that are complying with the number in the second go-round and there will be, as we build a new

system, the capacity for Ontarians to properly judge it. They will be able to judge it much more fairly because they will know that they can look at information about their local hospital and they will know and they should gain some confidence from the fact that it isn't about the government doing this. Here in Ontario, we have everybody working together. The changes that we seek in terms of wait times are being led on the front line by health care providers.

Mrs. Witmer: Minister, today you said in your announcement that Canadians are "the big winners." But if we take a look at the leaked figures that we received from your ministry, Ontarians who are waiting for hip and knee replacements have no cause for celebration today. The median wait time for hip replacements increased by 14%. We know from your leaked document that the wait time for knee replacements is also up.

Minister, I ask you: Why are Ontarians, under your watch, waiting longer for hip and knee replacements?

Hon. Mr. Smitherman: The honourable member offers up some suggestion about hips and knees, and this is one of those areas where we will be very much challenged to address it.

Mr. Gilles Bisson (Timmins-James Bay): Just watch your knees when you skate with Liberals.

Hon. Mr. Smitherman: He's not even in his seat. It's unbelievable, the conduct of that honourable member today.

The increase that we can speak about with a lot of certainty is that we've increased by 28% access for Ontarians to hips and knees, but it is one of those areas that will challenge us to find new approaches because we've pretty much maximized the capacity of our health human resources. That goes back to another matter that the honourable member doesn't like to acknowledge: It is her DNA and that of her party that is associated with the challenge that we have with too few doctors in our province.

Mrs. Witmer: I notice that he's not denying the fact that under the watch of this government wait times in the province of Ontario are actually decreasing—or increasing. Wait times are increasing. We have your leaked wait times chart to tell us that, on average, Ontarians are also being forced to wait longer for MRI and CT scans than when you first published the information in July. For an MRI, patients now have to wait 55 days, up from 53 in July. For a CT scan, patients now have to wait 30 days, up from 28 days in July. Minister, in every one of your five key areas, wait times are increasing. They're not getting shorter, as you promised.

The Speaker: Question.

Mrs. Witmer: It's like every Liberal promise that you have made; you break your promises. I ask you today, why are you breaking your promise? Why are wait times not getting shorter—

The Speaker: The question has been asked. Minister?

Hon. Mr. Smitherman: This time, the honourable member likes to talk about MRI and CT. The circumstances are clear, and that is that under our government

we've increased by 42% access for Ontarians to MRIs. Under that party, MRI machines were shut all night. But in Barrie, as one very, very good example, at Royal Victoria Hospital, where wait lists of almost a year were being allowed under that government, we've sought to make investments with considerable new resources that allow those to be open over the night.

The honourable member has said very often, "What are you going to do about the Wait Time Alliance and their work on wait times?" Today, here's what they said: "The Wait Time Alliance welcomes the benchmarks announced today, calling them a turning point for Canadian patients."

The point is that Canadian governments and ours, in a leadership role, are investing considerable new resources and new energy into practices that, without any doubt, will reduce wait times in our province.

HYDRO GENERATION

Mr. Howard Hampton (Kenora-Rainy River): I have a question for the Minister of Energy. This summer the Premier said the McGuinty government would build more nuclear power plants if that's what the Ontario Power Authority recommended. Well, on Friday, to no one's surprise, the Ontario Power Authority, stacked with Liberal cronies, recommended building between 9,400 and 12,400 megawatts of new and refurbished nuclear power plants. My question, Minister: Can you tell ordinary families across Ontario, does the McGuinty government support the recommendations of the Ontario Power Authority to build 9,400 to 12,400 megawatts of new nuclear power supply, yes or no?

Hon. Donna H. Cansfield (Minister of Energy): I'd like to thank the member for the question. Personally, I'd like to thank Mr. Carr and the board and the Ontario Power Authority for the work they did. It's five volumes, 1,100 pages, with a 250-page summary. They did an extensive job, looking at the mixed fuel supply on behalf of the government. It's another step forward that this government is taking to build a safe, reliable, affordable supply for the people of Ontario.

What we have done is that we've posted the report on the Environmental Bill of Rights. Normally, it would be 30 days; instead, we've put it up for 60 days, so everybody will have an opportunity to reply. We will take everybody's comments into that process. I think the Premier has also indicated that we will all follow the process.

Mr. Hampton: The Premier had no problem stating the government's view in September, so I don't understand why he'd have a problem now.

What's clear is this: Building more nukes is a massive undertaking, with a massive price tag. Conservative estimates put it at \$40 billion. We know from the Darlington principle that it could easily be three times that.

What I believe is that the people of Ontario deserve to know, finally, where does the McGuinty government stand? They know where New Democrats stand. We think nuclear power is expensive and unreliable. They

know where Conservatives stand. Conservatives support more nuclear power. The Premier said in September he was in favour of more nuclear power. What's your position today: Yes or no?

Hon. Mrs. Cansfield: We certainly do know where the member of the third party stands: He doesn't like anything. He doesn't like wind, he doesn't like biomass, he doesn't like nuclear, he doesn't like gas, he doesn't like—anyway.

1510

Our plan involves major components. We are going to build new generation, and we have 10,000 megawatts—the wheels are in motion. We are going to maximize our existing assets, in addition to our existing transmission, and we are going to build a conservation culture in this province. We are moving forward; nothing has changed. We have a plan. This is the next step in the plan. And if the member was aware during the Bill 100 proceedings, it very clearly articulates the plan.

Mr. Hampton: Minister, your energy plan is in shambles. The rolling brownouts we saw this summer and the 52,000 lost manufacturing jobs demonstrate that.

We also know that nuclear power is expensive. Virtually every nuclear plant that's been built in this province had significant cost overruns, plus the annual cost of maintaining them and refurbishing them runs into hundreds of millions of dollars as well. The Premier stated one position in September. Now that the issue is before us, you seem to want to run and hide.

I say again, what's the position of the McGuinty government? Is it that the Premier endorsed nuclear power in September, but now he's not so sure? Is this another Dalton McGuinty, "I say one thing one day, and something else the next day"? What's your position? Do you support the recommendation of the Ontario Power Authority or not?

The Speaker (Hon. Michael A. Brown): The question has been asked.

Hon. Mrs. Cansfield: I will tell the member that the NDP have no vision at all, and haven't had for some time. They virtually cancelled everything that was put in place. This government does. We take this report very seriously. It will be given consideration. It will be analyzed. We will wait for public input, and then we will move forward. So we do have a plan and a process, and it will be followed.

The Speaker: New question.

Mr. Hampton: To the Minister of Energy: I think the people of Ontario simply deserve to know, what is your plan? The Ontario Power Authority, stacked with Liberal cronies, set clear and big targets for more expensive, unreliable nuclear power, but at the same time they paid lip service to energy efficiency and energy conservation, which is clearly the cleanest and quickest alternative. There are no long-term targets and no plan for energy efficiency and energy conservation.

Minister, why does the McGuinty government offer only lip service and superficial photo ops when it comes to energy efficiency and conservation, yet the Premier is ready to endorse lots of expensive nuclear?

Hon. Mrs. Cansfield: It's amusing, to say the least, to listen to the pontificating going on over there. This is the party that cancelled the \$2,000 incentive program for buyers of the R20 homes. They cancelled the reduced prices on energy-efficient products. They cancelled the \$50 rebate on energy-efficient refrigerators. They cancelled any cash rebates for upgrading on inefficient street lighting—300,000, by the way—and they cancelled energy-efficient lighting incentives for renovation retrofit and for new construction.

As I said earlier, we do have a plan. It is going to maximize what we have, build what we need and create a conservation culture in this province. We are going to take the report seriously. We are going to analyze it. We'll go through the process of public input, and then we will make our decisions.

Mr. Hampton: Minister, you need to read Hansard to see that the most vociferous opponent to energy efficiency was the Liberal energy critic, someone named Dalton McGuinty. But this is about your plan, or your failure to state a plan.

What's clear, from what the Premier said, is that the McGuinty government is prepared to spend more than \$40 million on expensive and unreliable new nuclear power plants, replete with safety and security concerns. You will almost double the use of very expensive electricity generation from natural gas, from 16% of capacity to 27% of capacity, but you're not prepared to set aggressive energy efficiency and energy conservation targets even though we could reasonably reduce electricity consumption by 20%.

Minister, what is your position? How many more jobs have to disappear before you say no to nukes and yes to affordable and reliable energy efficiency and energy conservation?

Hon. Mrs. Cansfield: After 12 years of nothing being done in this province toward developing a strategy for energy, this member has the audacity to stand up and say anything about what our plan is? It's here; it's articulated; it's clear. This is the same government that actually cancelled the Ontario Hydro 25-year plan, the class EA environmental scan.

We have a plan in place. It is quite clear. We are going to maximize our existing facilities and our transmission. We are going to build new generation, of which for 10,000 megawatts the wheels are set in motion, which is bringing \$3 billion into this province and a significant number of jobs, and we will create a culture of conservation in this province. This is our plan.

We will, unlike the member, take this seriously. We will listen to the public for their input. We have expanded from 30 days to 60 days on the Environmental Bill of Rights. I will meet with whoever would like to meet with me. We will move forward only after we have had that kind of significant input, and that's the process we will follow.

Mr. Hampton: This plan that you talked about was cancelled. This wouldn't have been the plan that called for four more nuclear sites, 16 more nuclear units and

lots of coal plants? It wouldn't be that plan that you're complaining was cancelled?

But, Minister, this is about your plan. Dalton McGuinty said in September he was all set to endorse nuclear. What's clear from his comments is that you're prepared to saddle Ontarians with the 1950s-style dream of more nuclear plants and a conservation plan that is so weak, only George Bush and his sidekicks would support it. And you think that posting the Ontario Power Authority report on a Web site for 60 days is proper public consultation.

Premier Dalton McGuinty promised proper public consultation. Will you commit to a full environmental assessment of the OPA report with public hearings across the province to test the report's assumptions and the public mood—

The Speaker: The question's been asked. Minister?

Hon. Mrs. Cansfield: I will tell you what I do agree with. Mr. Hampton indicated, and let me quote, "We will live, we will continue to live with the effect of the coal mistakes for decades to come. Some of us will die before our time, victims of coal-generated air pollution."

We agree, and we have a plan in place to replace coal. Our plan is to maximize our existing, to build new and to create a culture. If in fact this member thinks that one of 25 projects in place, which deals with over 5,000 folks in social housing and 150 of the people who participate in over 20 communities, is minimizing, then you have some idea of what he thinks of how to move forward in terms of conservation initiatives. Obviously we differ, and we will continue to differ. We have a plan, we have a process, and we will follow through.

HEALTH SERVICES

Mr. Jim Wilson (Simcoe-Grey): My question is to the Minister of Health. In your first Liberal budget of last year, you actually cut OHIP-paid health services. As your government likes to say, for the first time in Ontario's history, physiotherapy services were cut. Chiropractic services were eliminated. Optometry services were cut, and only under intense pressure did you agree that seniors would still receive OHIP-funded optometry care. Today we see the Ontario Association of Optometrists warning that wait times for those OHIP-covered seniors are increasing on your government's watch.

Minister, aside from calling the hard-working men and women who provide eye care in this province "terrorists," as you did last month, what are you doing immediately to ensure that wait times for our seniors don't get longer?

1520

Hon. George Smitherman (Minister of Health and Long-Term Care): It's a day of tremendous audacity on the part of the opposition on matters of health. This honourable member stands in his place and talks about circumstances as they relate to health care. You were the Minister of Health in Ontario that cut, over two suc-

cessive years, \$557 million from Ontario hospitals. But even worse than that, over all the time that you were the Minister of Health and over all the time that the member from Kitchener was the Minister of Health, optometrists in the province of Ontario—in fact, for 10 or 12 years, including on the watch of the NDP—saw not one penny of increase in the amount that they were provided, creating a very serious circumstance. When we came to office, optometrists were expecting \$100 million in fee increases because you didn't address it—not one year, not one penny.

We're going to work with optometrists—I have a meeting with them on Wednesday—with a view toward what we can do to enhance the amount they are paid to provide services in our public health care system, something—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Wilson: I'm glad this is a place for—

Interjections.

The Speaker: Stop the clock. Order, Minister of Community and Social Services.

Member for Simcoe–Grey.

Mr. Wilson: Again, we hear the absolutely unfactual approach from this Minister of Health. You people went around during the many years of the Mike Harris government saying we cut health care. You know in your conscience, and you know the facts speak, that we never cut one penny of health care. The budget grew each and every year, and you still say this. You live in mythology. It's like the 28 hospitals you say we closed: Name them.

With respect to seniors' eye care, this minister created this problem.

Interjections.

The Speaker: Stop the clock. Order. I just cannot hear the member from Simcoe–Grey. I need to be able to hear his question. Member?

Mr. Wilson: This health minister created this problem by creating two-tier medicine in optometry care. People now have to pay \$79 out of pocket. Those seniors are covered by OHIP, and the optometrists are only getting \$39.15, so they're seeing fewer seniors. One third of 1,300 optometrists admits they're seeing fewer seniors because of your policy. Now, rather than calling them terrorists, what are you going to do about this for the seniors in our province?

Hon. Mr. Smitherman: The member asks two good questions. Firstly, what he says is not factual. A 3.5% reduction in 1996-97 and a 4.4% reduction in 1997-98 were very genuine cuts felt in Ontario hospitals. If you've been pretending your way through it so far, get real, buddy. Honestly.

Secondly, the honourable member asked for a list of hospitals closed. Brantford, St. Joseph's Health Care: closed. Northumberland Hills Hospital, Port Hope: closed. St. Mary's hospital: closed. Perley Hospital, Ottawa: closed. Ottawa Salvation Army Grace: closed. Royal Ottawa rehab centre site: closed. Pembroke Civic Hospital: closed. Peterborough St. Jo's: closed. Toronto, Central—

Interjections: Closed.

Hon. Mr. Smitherman: Toronto, Doctors.

Interjections: Closed.

Hon. Mr. Smitherman: Toronto, Wellesley central.

Interjections: Closed.

Hon. Mr. Smitherman: Sarnia, St. Joseph's Health Care Centre.

Interjections: Closed.

Hon. Mr. Smitherman: Were any of those committed to? Did you ever stand up and say, "It is our intention to close hospitals"? No. You said it wasn't, and you did it anyway.

HYDRO GENERATION

Mr. Howard Hampton (Kenora–Rainy River): My question is to the Minister of Energy. Environmentalists say the McGuinty endorsement of more nuclear power is the wrong plan for Ontario's future. Greenpeace says of the McGuinty endorsement, "We need green power, not nuclear power." The Canadian Environmental Law Association says of the McGuinty endorsement for more nuclear power, "It misses the mark." The Sierra Club calls the McGuinty endorsement of nuclear power "insanity."

Nuclear power generates highly toxic waste that remains a potential health, safety and security hazard for thousands of years. Instead of endorsing nuclear power as the Premier has, why isn't the McGuinty government listening to the green community? How can you possibly justify more nuclear power when there is no plan to store the nuclear waste?

Hon. Donna H. Cansfield (Minister of Energy): I want to restate that in fact the report will be posted on the Environmental Bill of Rights Web site not for only 30 days but for 60 days, and that I am prepared to meet with whoever chooses to meet with me. We're going to meet with everyone, not just some folks. That's the whole idea. We take this report very seriously. We are going to wait for the analysis of the report, we're going to wait for the public input on the report, and then we will move forward and make a decision. There is a process in place that allows people to take some time to look at and analyze a document that's 1,100 pages long—there are five volumes—and a 250-page executive summary, and then be able to come to us with their impressions of that report.

I'm quite prepared; the door is open. I'm happy to meet with whoever would like to meet with me on that report, as well as have it posted not only on the Environmental Bill of Rights Web site but also on the Ministry of Energy Web site.

Mr. Hampton: Green advocates are already telling the McGuinty government what they think of Dalton McGuinty's endorsement of more nuclear power. You say that you want to hear from the public. How does holding a 60-day Web site consultation over Christmas and the holiday season constitute any kind of consultation? What environmentalists want is full public hearings. They want the opportunity to have an environ-

mental assessment of the Ontario Power Authority report. They want the opportunity to look at whatever schemes are out there in terms of nuclear waste disposal.

The Premier promised a full public consultation. Will you provide that kind of full public consultation, rather than 60 days on the Web site over the holiday season?

Interjections.

The Speaker (Hon. Michael A. Brown): Stop the clock. Minister of Community and Social Services, we need you to come to order.

The Minister of Energy.

Hon. Mrs. Cansfield: The Ontario Power Authority—if I may, I'll read this into the record—called for public submissions on supply mix in July 2005. It was not only solicited through their Web site but also through local, regional and national newspaper advertisements. They received 185 submissions and more than 200 documents from a wide range of groups and individuals. In addition to that, they addressed the gaps in the industry, environmental and academic, with experts from those areas who were actually asked to prepare briefings. All told, they heard an additional 30 formal presentations. They also met with stakeholders and groups on a consistent basis throughout the entire process. In addition to that, they did interviews with 27 industrial stakeholders and 35 non-industrial stakeholders. In addition to that, they did some public opinion polling, where they contacted almost 800 Ontarians. They did a very exhaustive process in their consultation, and that will continue. We will work with the—

The Speaker: Thank you. New question.

AGRICULTURAL TRADE

Mr. John Wilkinson (Perth-Middlesex): Not to be outdone by the Attorney General, Happy birthday to my mother as well today.

My question is for the Minister of Agriculture, Food and Rural affairs. As you know, the supply-managed sector of our agricultural industry has proven itself an effective way of ensuring farmers earn a stable, profitable income. For years, FarmGate5 has proven its ability to provide the high-quality products Ontario consumers demand at a fair price for farmers.

On Friday, November 25, I met with local representatives in my riding from the Perth County Federation of Agriculture. During our meeting, my local farm leadership repeated the call for both the provincial and federal levels of government to continue defending the interests of those farmers dependent on supply management. Minister, can you please tell this House today what our government is doing to protect the interests of supply-managed farmers?

1530

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): I'm very happy to report for the public record that, this very day, the Legislative Assembly of Ontario has passed a motion unanimously. That motion will present the wishes of this assembly to the federal government that, at the World Trade Organ-

ization talks, they understand our position is that supply management must be protected, and it should not be negotiated away.

I also want to take this opportunity to thank the supply-managed sectors—the dairy, the egg, the poultry folks—who have made their important views known to all members of the Legislature. I think that it's important as well that I thank my colleagues on all sides of the House—

The Speaker (Hon. Michael A. Brown): The Minister of Public Infrastructure Renewal knows that you cannot use props in this place. Thank you.

Supplementary.

Mr. Wilkinson: It's deeply reassuring to know that our government has strongly defended the interests of these farmers, and I thank the opposition for helping us.

I note that you'll be travelling to Hong Kong later this week to partake in the World Trade Organization talks. On this issue, farm support critics have tended to portray Canada's supply-managed producers as unable to contend with international competition. Now, I could not disagree more. International competitors are heavily subsidized by their governments. In contrast, Ontario has a thriving agri-food industry which contributes more than \$30 billion to the provincial economy each year. To that end, Canada and the province of Ontario have a strong interest in moving toward fairer trade policies for agriculture.

Can you please tell this House, Minister, what you expect to accomplish at this week's WTO talks in Hong Kong?

Hon. Mrs. Dombrowsky: I look forward to the opportunity when I will be joined by ministers of agriculture from across Canada. I also want to assure the agriculture producers and manufacturers in the province of Ontario that Premier McGuinty listened very closely to them when he met with them at the plowing match in Listowel. He also made it very clear at that time that he believes it's important that, as a province and as a nation, we work together to level the playing field for our agriculture producers. That means that we must work very hard to protect the supply management system that we have in place.

We must also work very hard to improve an open market access for agriculture producers. We were very delighted today, for example, that Japan has decided to open its borders to Canadian beef again.

Finally, we must also work very hard to address the market-distorting subsidies that are provided, particularly in the United States and the European Union. I'm committed to working with my colleagues from across Canada to ensure that that playing field is levelled.

HEALTH PROMOTION

Mr. Norman W. Sterling (Lanark-Carleton): My question is for the Minister of Health Promotion. In order to encourage young people to become fit, Conservative Party leader Stephen Harper is proposing a federal tax credit of up to \$500 per year, per child, for parents who

register their children in organized sports. Do you agree with this policy, Minister?

Hon. Jim Watson (Minister of Health Promotion): I thought it was the honourable member from Nepean–Carleton who was running federally. I hadn't realized Norm Sterling had thrown his hat in the ring.

We're committed on this side of the House, through a number of initiatives, including Active 2010, which is a program that encourages more and more young people to get involved in physical fitness. On Friday we announced a series of communities and action fund grants that are going to community groups all across the province of Ontario. We've got to get these young people physically fit, motivated to stay in shape, so that they can be less of a drain on the health care system. I am proud of this government's record. I'm proud of the work that Minister Bradley started in the sport portfolio. We'll continue doing those good things to keep these young people fit.

Mr. Sterling: Many people in Ontario would welcome federal dollars to deal with health promotion, to deal with young people, to encourage them to become fit. Many people in Ontario are concerned that the Ministry of Health Promotion is putting aside valuable provincial health care dollars into areas which should be taken up by our federal government.

I ask the minister: How many dollars of our provincial health care tax are you putting into these programs?

Hon. Mr. Watson: Mr. Speaker, I'm very proud of our record on supporting sports, because his party and his government cut sport funding by over 50% to provincial sport organizations. Not only that, but because they starved the education system for so many years, community groups could not afford to rent gymnasiums and other facilities at schools. We brought in the community use of schools program: \$20 million. There are over 20 school boards that have eliminated fees for after-school use of schools. This is one of the most progressive policies, at a minimal cost to the taxpayers, to get young people using gymnasiums and using other facilities. I, quite frankly, am surprised that the member from Lanark–Carleton would even raise the issue, given his record in government, which did everything possible to make sure these kids didn't have a fighting chance at a gymnasium.

SECURITIES INDUSTRY

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Government Services. Canadians are scandalized—and I say that word strongly—by the growing evidence that insiders may have profited from the advance knowledge of Ralph Goodale's November 23 income trust announcement. They want someone—anyone—to come to the bottom of this. The Ontario Securities Commission has thus far refused to intervene, despite a clear mandate to investigate such matters and to disclose those facts. If the OSC continues to refuse to take action, will you step in, in your authority as minister, and order an investigation?

Hon. Gerry Phillips (Minister of Government Services): Just to be very clear, because I'm not sure you are clear, the securities commission does not disclose when it may be investigating until it's appropriate to make it public. So I don't think you know whether they are or they are not. But again, I say to all of us, we're treading on dangerous ground here. When you are suggesting that politicians should order when an investigation should take place and when it should not take place, it is very dangerous grounds. We rely on independent, arm's-length securities regulation in this country and in this province. If you're suggesting that the minister of the day should have the authority to determine when an investigation should happen and when an investigation should not happen, I suggest to you that you're suggesting very dangerous political interference in an important arm's-length organization. I would advise all of us to leave this matter to the Ontario Securities Commission.

Mr. Prue: I'm simply asking the minister to do what the minister has the authority to do. Subsection 11(5) of the act—

Interjections.

Mr. Prue: Listen to it: "Despite subsection (1), the minister may, by order, appoint one or more persons to make such investigation as the minister considers expedient." And then it goes on to talk about "Ontario securities law or the regulation of the capital markets in Ontario." You have that authority. Now, what I'm asking you to do, since the Ontario Securities Commission in many quarters is considered to be ineffective—and I think they are. Even the Toronto Star, to quote them, says, "Canadian police and securities regulators are not only toothless ... but they're also unwilling to even gum very hard against alleged corporate crooks."

Minister, you have the authority, and it appears that the OSC is refusing to act. Will you use your power under Ontario law and investigate this matter?

Hon. Mr. Phillips: Firstly, I'm not sure that power has ever been used. Just so the public should be aware of what the member is suggesting here, he's suggesting that investigations by the securities commission should be subject to political interference. It's extremely important. So the minister of the day should be saying, "You know, I think you should investigate that company," or "I think you should not investigate that company."

I suggest to you and to all of us that you are advising very reckless behaviour. This should not be a matter where politicians determine what investors are going to be protected and what investors are not going to be protected. That should be left to the organization that has the responsibility, legislated by us, delegated by us, with clear outlines. I think we should keep the politics out of this and keep the good policy in this.

1540

STELCO

Ms. Judy Marsales (Hamilton West): In continuing with the trend today, I want to send happy birthday greetings to my nephew, Matthew Michaud.

My question today is for the Minister of Finance. All of Hamilton was holding their breath on Friday and I stand here today to ask a very important question for the people of Hamilton. This past Friday, Stelco Inc. creditors voted 78% in favour of a management plan that will see Stelco emerge from bankruptcy protection. As a representative from Hamilton, I have watched over the last 23 months with a very careful eye, knowing that the citizens of our great city have been interested in seeing the company come out of this protection strong and with a prosperous future ahead. It has taken a long time to get to this point. Negotiations have taken place for almost two years now, but I'm glad that the government has been at the table the entire time as an active and involved player. The government's contribution to the—

The Speaker (Hon. Michael A. Brown): The question has been asked.

Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet): The result of the vote on Friday firmly placed Stelco on the road toward emerging from bankruptcy protection, and I want to thank the member from Hamilton for her assistance in this matter. There are still some steps to be taken with respect to it, but we remain optimistic.

The restructuring agreement is good news for the workers and retirees of Stelco, good news for Hamilton and good news for the province. A strong, viable Stelco is good news for Ontario.

From day one, we have had two objectives in this process: one, to see Stelco emerge as a viable company over the long term, and two, that the pensions of retirees and current employees remain secure. The restructuring agreement approved overwhelmingly by the creditors on Friday meets both of these goals.

We have agreed to increase the province's note or loan from \$100 million to \$150 million. We're confident and optimistic about the future of Stelco and, of course, the great city of Hamilton and its environs.

Ms. Marsales: I'm glad to hear that this government had the interests of the citizens, the company, the pensioners and the great city of Hamilton in mind during the negotiations leading toward the final agreement, which has now been approved overwhelmingly by the creditors. Friday was a good day for the people of Hamilton. I know there are still steps to be taken, but many Stelco pensioners in my riding were happy to hear the news that this agreement had been approved. The result of the vote on Friday firmly places Stelco on the road toward emerging from bankruptcy and a new vision for tomorrow's success by turning uncertainty into a more certain and positive future for Stelco.

Unlike previous governments, I know that this government is interested in keeping municipalities strong and seeing the economies of cities like Hamilton thrive and prosper. As Stelco continues along this path to emerge from bankruptcy, I know this government will continue to keep the interests of pensioners and the company in mind.

Minister, from your analysis, how does the result of this vote on Friday impact—

The Speaker: The question has been asked.

Hon. Mr. Duncan: I'd like to thank Judy Marsales and Marie Bountrogianni for all their questions and hard work on the Stelco file. Instead of mindless grandstanding like the New Democrats, who did nothing to assist this process—

Interjections.

The Speaker: The member for Timmins—James Bay needs to come to order.

Mr. Gilles Bisson (Timmins—James Bay): I'm a proud Steelworker. This is hard to take.

The Speaker: You've been warned. Minister?

Hon. Mr. Duncan: Instead of the mindless grandstanding of the third party, the members from Hamilton on this side, Judy Marsales, Marie Bountrogianni and Ted McMeekin, worked hard to make sure that this government invested \$150 million into this pension system. There are still steps to be taken. I applaud Judy Marsales, Marie Bountrogianni and Ted McMeekin, and Jennifer Mossop, who also contributed, for their overwhelming efforts on this behalf.

I say to the third party, your mindless grandstanding didn't help any. It was these members who made this deal happen.

LAKERIDGE HEALTH

Mr. John O'Toole (Durham): My question is to the Minister of Health. I understand today is all about the wait time strategy, but I'm really going to raise a point on a new Liberal wait time. On Saturday, the minister of infrastructure was in Oshawa for a photo op on the redevelopment of Lakeridge Health in Oshawa. Members should know that construction of the six inpatient floors above the new regional cancer centre won't begin until 2008-09. In effect, Durham region now has a new wait time problem.

Minister, you know that the lack of facilities contributes to the wait time challenge. What are you prepared to do, today, on fast-tracking the redevelopment of the Lakeridge site so that they will have that capacity to meet future demand in Durham region?

Hon. George Smitherman (Minister of Health and Long-Term Care): The Minister of Public Infrastructure Renewal.

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I must say that the folks in Oshawa were thrilled that they've been given the green light to finish a project which, I say quite frankly to the member from Durham, you could have finished if you had wanted to. Instead of false promises, instead of false starts, we have a real plan, with the serious dollars behind it to get the job done.

I was at Lakeridge hospital's Oshawa site on Saturday to give the very good news to all of the hard-working board members, staff members and foundation members, who have rolled up their sleeves working with this government, who are going to see this project begin in 2008-09. Indeed, it's a happy day for the people of

Lakeridge Health in Durham. I must say that it was a shame that the member couldn't take a few moments to come out and celebrate with the community and be there as this project finally got off the ground.

Mr. O'Toole: I redirect this supplementary back to the Minister of Health, because the real problem here is that, first of all, the short and very deliberate late notice is part of the style of this government. They really don't want to engage us. But I don't want to be distracted.

Minister, the real issue here is that the community was waiting for your address of the problem of the operating deficit. You know that they had a specialist panel that filed an independent report saying, and I quote here, that it was unable "to balance its budget" without basic reductions in services to people on the front line. Now that you've announced the capital that's been delayed, you're not going to help them on the operating side, which is going to reduce patient services. We've had it from an independent panel.

This is just another problem for the community of Durham, as well as Lakeridge. Minister, what progress is being made to restore fair funding? That's \$164 less per person—

The Speaker (Hon. Michael A. Brown): Thank you. The question has been asked.

Hon. Mr. Caplan: I know the Minister of Health would like to deal with the operating funds.

Hon. Mr. Smitherman: I'm very pleased to hear the acknowledgement from the member for Durham, not just about the expansion ongoing at Lakeridge hospital at the moment in the form of a regional cancer centre but of our government's announcement that, subsequent to its construction, we'll be looking forward to the opportunity to add additional clinical capacity in that hospital.

This really is, in the 905, the story of the day. At virtually every hospital in the 905, we either see that a crane has just left, a crane is set imminently to arrive, or it's already on site. Accordingly, there will be inherent in that a tremendous opportunity for additional operational expenditure for health care services in hospitals in the 905.

In the meantime, I do wish to say, on a day when it was well established that the honourable member is from a party that actually cut \$557 million from hospitals, that our party has invested more than \$24 million in additional operating benefit already at Lakeridge Health since coming to office—24 million new dollars.

ROYAL BOTANICAL GARDENS

Ms. Andrea Horwath (Hamilton East): My question is for the Minister of Culture. Last week, I asked you the whereabouts of the \$3.8 million in funding that your government promised the Royal Botanical Gardens back in April. Your empty response really impressed no one. In fact, well-read Hamilton Spectator columnist Andrew Dreschel called your response a "ditch-and-dodge routine."

Minister, could you explain why you announced RBG emergency funding last April, when you knew it had no chance of flowing this year?

1550

Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs): I thank the member for Hamilton East for her question. However, I don't know the expression that was written in the paper. "Ditch-and-dodge"; I don't know what it means. But I can tell you that the province and its funding partner feel very strongly that the recommendations contained in the report prepared by the review committee will help members of the new board to address the challenges that the RBG faces. We have been working very closely with the city of Hamilton and the region of Halton to review the recommendations contained in the report. I am confident that the RBG board of directors is looking forward to developing a plan for the future of the garden.

Ms. Horwath: Minister, referring to you specifically, Mr. Dreschel said, "Perhaps not knowing what's going on in her own ministry, she resorted to speaking phonus balonus." I fear the minister has deposited more phonus balonus in this very chamber today.

Minister, you promised the traditional funding would be there for the RBG, and it's not. You promised CUPE workers, if they agreed on laying off half of their staff, the funding would flow, and it didn't. You even said I supported cuts to the RBG as a Hamilton councillor. Wrong again, Minister. How many times do you have to be wrong before you get it right?

Hon. Mrs. Meilleur: The RBG has formed an executive transition committee, which is developing a plan to implement the major recommendations contained in the mandate review committee report, and I'm looking forward to receiving this plan. But again, I'm going to repeat to the House, I'm very surprised to hear the question and the comment from the member from Hamilton East, because she was a member of the municipal government who cut the budget to the RBG, and she supported that.

SCHOOL CLOSURES

Mr. Khalil Ramal (London-Fanshawe): My question is for the Minister of Education. Recently, the Thames Valley district school board made public a report they commissioned by a consultant group called CN Watson. The group was paid \$105,000 for this report, which outlined a plan to close 61 schools in London and surrounding areas. Parents, students and community members are obviously upset by this report. It states that due to declining enrolment, the board should close these schools to save upwards of \$400 million.

Minister, it's unbelievable that this board paid \$105,000 to commission this report, and moreover, that it's recommending the closure of these schools—four of them in my riding of London-Fanshawe. Following years of school closures in this province, with the NDP closing

155 and the Tories closing 503 schools, what are we doing to support viable public schools?

Hon. Gerard Kennedy (Minister of Education): I want to thank the member for his question. I know his interest is in seeing that we make the shift definitively away from the one-size-fits-all policies that really attacked rural education in this province on the part of the previous government.

The report in question was commissioned by the board about a year ahead of when we put policies out to change the direction of education. I know that the board has only taken that as a report. In fact, I met with the Thames Valley board this morning. They're looking at it very constructively, because even just today, rural high schools have become more viable. Even as early as the early part of this year, \$20 million for principals, for secretaries, paying for custodial work in elementary schools—changing the face of how rural Ontario can now have security for their schools and also helping small schools in every environment. I say that the only thing we know about reports like this, done by the previous government, five- to 50-year outlook, is that they've always been—

The Speaker (Hon. Michael A. Brown): Supplementary.

Mr. Ramal: Thank you, Minister. It's good to hear that our government has taken a new approach to school accommodation following years of funding formulas that closed schools prematurely and unnecessarily.

As you know, Thames Valley is a board that encompasses urban and rural areas. The board has been vocal that the declining enrolment pressures they are facing are predominantly in the rural area of the board.

Many of the schools named in the C.N. Watson report being in rural areas surrounding the London area, parents, students and community members are concerned that they do not have the student population to sustain their schools; however, they are a valuable part of the community. What are we doing in order to ensure that rural areas can support their schools?

Hon. Mr. Kennedy: It's an approach that I think the small schools coalition today called "refreshing." I think we can start to have people think not just about how to defend against some of the things that happened, but how to move forward. My ministry, along with rural affairs, is working very closely with a very strong rural caucus, who have been consistent in insisting that schools in rural areas be stood up for. There was no such representation before in this House. Finally, there are people here who are willing to stand up and make sure that rural students don't get bused, don't get shipped, don't get discouraged, but instead, actually have access to quality education in their own communities. They will have a specialist diploma to look forward to. They will also have funding for projects that will make sure, for example, that they get access to rural and farming kinds of co-operatives and those kinds of special diplomas; 4-H is being recognized for the first time. In general, we are customizing education to fit the students. Under the previous govern-

ment, students were made to be flexible and families were given up on. That is finally changing—

The Speaker: Thank you.

Mr. Ted Arnott (Waterloo-Wellington): On a point of order, Mr. Speaker: Since the government members ragged the puck, clearly dragging out the clock so that I can't ask a question, I would like to seek unanimous consent—

Interjections.

The Speaker: I heard a no.

PETITIONS

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Jerry J. Ouellette (Oshawa): I have a petition to the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I have affixed my name in full support.

PENSION PLANS

Ms. Andrea Horwath (Hamilton East): This petition is to the Legislative Assembly of Ontario.

"Whereas every Ontario worker has the right to a secure pension that is indexed to inflation and provides the dignity of a stable and sufficient income for retirement;

"Whereas pensions represent workers' deferred wages and all pension contributions belong to the workers;

"Whereas people who work all their lives deserve the right to retire with a decent pension at age 65 without having to worry about making ends meet;

"Whereas the pension system is sorely in need of reform; it hasn't been reviewed since 1987 and many Ontario seniors have seen the value of their pensions vastly reduced over the years;

"We, the undersigned, petition the Legislative Assembly as follows:

"We call on the government of Ontario to form a special legislative committee on pension reform to study ways to ensure that all workers have the ability: (1) to participate in a pension plan; (2) to have a real say in how the plan is managed and governed; and (3) to have vesting from day one, indexing, portability from job to job and absolute protection of their pension through a much-enhanced pension benefit guarantee fund and stronger provincial legislation."

I agree with this petition. I've signed it and send it to the table by way of Kumail.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Kim Craitor (Niagara Falls): I'm pleased to introduce this petition on behalf of my colleague Minister Jim Bradley from St. Catharines. It's been submitted by Mr. Al Moreland, president of Community Living, St. Catharines. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I'm pleased to sign this petition in support.

The Deputy Speaker (Mr. Bruce Crozier): It being 4 of the clock, pursuant to standing order 30(b), I am now required to call orders of the day.

ORDERS OF THE DAY

RESPECT FOR MUNICIPALITIES ACT, 2005

LOI DE 2005 SUR LE RESPECT DES MUNICIPALITÉS

Resuming the debate adjourned on December 6, 2005, on the motion for second reading of Bill 37, An Act to amend the Taxpayer Protection Act, 1999 in relation to municipalities / Projet de loi 37, Loi modifiant la Loi de 1999 sur la protection des contribuables en ce qui concerne les municipalités.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated December 7, 2005, I'm now required to put the question.

On December 1, Mr. Gerretsen moved second reading of Bill 37, An Act to amend the Taxpayer Protection Act, 1999 in relation to municipalities. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1601 to 1606.

The Deputy Speaker: All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Gerretsen, John	Patten, Richard
Balkissoon, Bas	Hoy, Pat	Peters, Steve
Bartolucci, Rick	Jeffrey, Linda	Phillips, Gerry
Bentley, Christopher	Kennedy, Gerard	Pupatello, Sandra
Berardinetti, Lorenzo	Kular, Kuldip	Qaadri, Shafiq
Bradley, James J.	Kwinter, Monte	Racco, Mario G.
Broten, Laurel C.	Lalonde, Jean-Marc	Ramal, Khalil
Brownell, Jim	Leal, Jeff	Ramsay, David
Cansfield, Donna H.	Levac, Dave	Rinaldi, Lou
Caplan, David	Marsales, Judy	Ruprecht, Tony
Colle, Mike	Matthews, Deborah	Sandals, Liz
Cordiano, Joseph	Mauro, Bill	Smith, Monique
Craitor, Kim	McMeekin, Ted	Takhar, Harinder S.
Delaney, Bob	McNeely, Phil	Watson, Jim
Dhillon, Vic	Meilleur, Madeleine	Wilkinson, John
Dombrowsky, Leona	Milloy, John	Wong, Tony C.
Duguid, Brad	Mitchell, Carol	Wynne, Kathleen O.
Duncan, Dwight	Parsons, Ernie	

The Deputy Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles	Marchese, Rosario	Runciman, Robert W.
Dunlop, Garfield	Miller, Norm	Sterling, Norman W.
Hardeman, Ernie	Munro, Julia	Wilson, Jim
Horwath, Andrea	O'Toole, John	Yakabuski, John
Jackson, Cameron	Quellette, Jerry J.	
Klees, Frank	Prue, Michael	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 53; the nays are 16.

The Deputy Speaker: I declare the motion carried. The bill is ordered for third reading.

RESPECT FOR MUNICIPALITIES ACT, 2005

LOI DE 2005 SUR LE RESPECT DES MUNICIPALITÉS

Mr. Gerretsen moved third reading of the following bill:

Bill 37, An Act to amend the Taxpayer Protection Act, 1999 in relation to municipalities / Projet de loi 37, Loi modifiant la Loi de 1999 sur la protection des contribuables en ce qui concerne les municipalités.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated December 7, 2005, I'm now required to put the question.

Mr. Gerretsen has moved third reading of Bill 37, An Act to amend the Taxpayer Protection Act, 1999 in relation to municipalities. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1610 to 1615.

The Deputy Speaker: All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Athurs, Wayne	Gerretsen, John	Patten, Richard
Balkissoon, Bas	Hoy, Pat	Peters, Steve
Bartolucci, Rick	Jeffrey, Linda	Phillips, Gerry
Bentley, Christopher	Kennedy, Gerard	Pupatello, Sandra
Berardinetti, Lorenzo	Kular, Kuldip	Qadri, Shafiq
Bradley, James J.	Kwinter, Monte	Racco, Mario G.
Brotten, Laurel C.	Lalonde, Jean-Marc	Ramal, Khalil
Brownell, Jim	Leal, Jeff	Ramsay, David
Cansfield, Donna H.	Levac, Dave	Rinaldi, Lou
Caplan, David	Marsales, Judy	Ruprecht, Tony
Colle, Mike	Matthews, Deborah	Sandals, Liz
Cordiano, Joseph	Mauro, Bill	Smith, Monique
Craiton, Kim	McMeekin, Ted	Takhar, Harinder S.
Delaney, Bob	McNeely, Phil	Watson, Jim
Dhillon, Vic	Meilleur, Madeleine	Wilkinson, John
Dombrowsky, Leona	Milloy, John	Wong, Tony C.
Duguid, Brad	Mitchell, Carol	Wynne, Kathleen O.
Duncan, Dwight	Parsons, Ernie	Zimmer, David

The Deputy Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Amott, Ted	Klees, Frank	Runciman, Robert W.
Bisson, Gilles	Marchese, Rosario	Sterling, Norman W.
Dunlop, Garfield	Miller, Norm	Wilson, Jim
Hardeman, Ernie	Munro, Julia	Witmer, Elizabeth
Horwath, Andrea	O'Toole, John	Yakubuski, John
Jackson, Cameron	Ouellette, Jerry J.	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 54; the nays are 17.

The Deputy Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM ACT, 2005

LOI DE 2005 SUR LE RÉGIME DE RETRAITE DES EMPLOYÉS MUNICIPAUX DE L'ONTARIO

Mr. Gerretsen moved second reading of Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act / Projet de loi 206, Loi révisant la Loi sur le régime de retraite des employés municipaux de l'Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Gerretsen?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I am happy to be here for the second reading of the proposed Ontario Municipal Employees Retirement System Act, 2005, and I will be sharing my time with my parliamentary assistant, the member for Scarborough Centre. I would like to thank him for sitting in on all the various hearings that have been held on this bill after first reading. There were six days of hearings, and I would like to congratulate and thank him for the outstanding job that he has done so far in getting this bill to second reading stage.

1620

This bill, if passed, would remove the Ontario government from its governance role in OMERS and would hand that role to the municipal employees and employers, who both contribute to the plan. For too long, the Ontario government has had the final say on decisions relating to the OMERS plan, and the Ontario government doesn't even pay directly into the OMERS plan, other than as an employer in certain situations. In fact, OMERS is currently the only pension plan in Ontario where the government plays the sponsor's role without being a direct contributor to the plan. This bill, if passed, will correct that anomaly. More than that, this bill would establish a framework in which OMERS can secure and enjoy continued fiscal sustainability in the years to come.

Our government is proposing a governance model for OMERS that builds upon the model recommended in the OMERS board report of 2002. Our model is based on broad input from both employers and employees. That input continued right up to the hearings held recently by the standing committee on general government. As I mentioned before, there were six days of hearings.

When I introduced this bill for first reading, I put forward a model that built upon the model recommended by the OMERS board report of 2002. This model was based on broad input from both employers and employees. However, we knew that various OMERS stakeholders have different views on many matters relating to the bill, and for that reason we held hearings after first reading so that we could get immediate comment and input on the bill. In fact, we received kudos from some committee members for permitting this early consideration of the bill after only first reading.

Since first reading, I have received a number of carefully considered submissions from stakeholders. As well, a number of stakeholders took the time to set up meetings with my parliamentary assistant, Mr. Brad Duguid, the member for Scarborough Centre, and with staff from my office to let the government know how they feel about the governance of the pension plan. The committee that considered the bill after first reading heard from the full spectrum of groups that will be affected by this legislation. We heard from individual municipalities and their association. We heard from representatives from firefighters, police, unions, retirees, various associations, and from the OMERS board itself.

We are grateful for the input that we received from so many stakeholders. It truly reflects the importance these groups give to their pension plan. The government has listened and our bill is now the better for it.

I want to touch on the highlights of our bill and talk about a number of features we are proposing for our model that show that we have listened to the stakeholders.

Our model will include a sponsors corporation that would be responsible for determining the OMERS pension plan benefits and contribution rates. In addition, subcommittees that could provide advice on the design of supplemental plans can assist the sponsors corporation. Our model also includes an administration corporation, which would continue the current role of the OMERS board. It would look after investment decisions and the day-to-day administration of the OMERS plan. I'm also pleased to point out that our approach will ensure that OMERS continues to be the exclusive provider of pension products for the municipal sector.

Our government consulted extensively on Bill 206 and we listened to our stakeholders. As a result, we have amended our model to ensure that the supplemental plan will be set up and will include specific optional supplemental benefits. This will enable our public safety workers, police officers, firefighters and paramedics to access additional pension benefits through local collective bargaining. I might add, these public safety workers are already entitled to a 2.33% accrual rate under the federal pension rules.

I should also like to mention that the sponsors corporation would still be free to design supplemental benefits for other municipal sector employees. I want to point out that this puts the supplemental benefits in the control of local governments, which would bargain with their workers. In addition, our model would limit the bargaining for supplemental benefits to one benefit decision at a time.

Another feature of our model that I would like to highlight is the dispute resolution mechanism proposed for the sponsors committee. The mechanism that we propose is similar to the Ontario teachers' pension plan, by including possible mediation before arbitration.

We also responded to stakeholder input at the hearings by proposing to amend the initial composition of the administration corporation and sponsors corporation so as to better reflect the membership of the plan.

We know that OMERS stakeholders care passionately about their pension plans, and we want to give them as many opportunities as possible to help shape the governance of this plan from the outset. We are enabling stakeholders to determine what is best for their future. Our goal is to give Ontario municipal employers and municipal employees the powers and the tools they need to create and maintain a quality of life that is second to none.

With that, I will turn the rest of the opening discussion over to my parliamentary assistant, the member from Scarborough Centre.

Mr. Brad Duguid (Scarborough Centre): I want to begin by thanking all the members of the general government committee for their good work in going through this very complex piece of legislation. This really is complex stuff. In my 11 years in politics, I don't recall having to deal with an issue that was so technical in nature, where every consideration or amendment would have such a big impact on the intentions of the bill. It was a real challenge, I think, to all members on all sides of the House to tackle this bill as it was going through committee. I want to thank the members for Brampton West—Mississauga, Glengarry—Prescott—Russell, London North Centre and Northumberland for their input at committee and their work in ensuring that we got this bill right. I want to thank the opposition members as well: the member for Erie—Lincoln, the member for Oxford, who is here with us today, and the member for Hamilton East, all of whom worked very hard to gain an understanding of this important issue and to ensure that all of the input we received throughout the hearings was brought forward and taken very seriously. We all had to work hard to understand this complex piece of legislation.

I want to thank the minister as well for agreeing to send this bill to committee on first reading. That is an unusual step to take, but for a bill of this nature, I think it's a step that really makes sense. It gave us as a committee the opportunity, before it even goes to second reading, to take a look at some of the issues involved, to make some very important amendments—amendments that perhaps wouldn't have been caught had we just sent it straight forward to second reading. It also gave us the opportunity to hear from a wide gamut of stakeholders involved in this early on in the process. I think, as a result of the minister's decision to send this after first reading, we have a much stronger piece of legislation already before us at second reading. I'm sure we'll be looking forward to further hearings on this, and we'll still continue to have an open mind, as this government has demonstrated throughout, since we've taken office, as we listen to further suggestions for improvement from our stakeholders.

For too long, the Ontario government has had the final say on decisions related to OMERS. I can think of no public sector pension plan in Ontario in which governance of the plan doesn't reside with the very people who are most impacted by it: the employers and employees—the people who contribute to the plan through contributions and the people who contribute to the plan as employers. Our government is absolutely committed to correcting this anomaly.

1630

I want to take a few minutes at this point in time to talk a little bit about the reasons why we want to devolve the governance of this pension plan. We want to ensure that the sponsors of the OMERS pension plan, the employees, as I said, who pay into the pension plan through their contributions and who some day will receive pension benefits and payments through the plan, and their

employers, who also contribute to the plan—they must be able to make decisions that other pension plan sponsors can make as well. They are most affected by those decisions, so they should have representatives at the table going to bat for them.

We're proposing that a sponsors corporation made up of representatives of plan members and employers take over the sponsors' role, which is currently played by the government of Ontario. The sponsors corporation would have final authority to make decisions on key areas such as plan design and benefit changes. The sponsors corporation would also have responsibility to decide what level of contribution is required for plan members and their employers—critical decisions for those involved in the plan.

The current OMERS board, in our proposed legislation, would be known as the administration corporation and would continue to oversee the plan's investments and the administration of the plan. In addition, the administration corporation would continue to advise on the plan's financial position.

Both the sponsors corporation and the administration corporation would govern the pension plan, but with different and distinct roles. It's very important that those roles are distinct and separate. Each of these corporations would be made up of an equal number of representatives from employer and employee groups, and a number of organizations would be represented.

I also want to emphasize that nothing in this bill will change any individual's pension at the time responsibility for the plan would be transferred over from the province to the sponsors corporation. That's important, because some plan members have expressed concern, somehow thinking that we were changing their plan. Many of us have received e-mails and notes from them expressing concern. I can assure you, Mr. Speaker, that none of those changes are being made with regard to this particular plan. What we're talking about here is a devolution of the plan so that they will have a better say in how the plan is run. With autonomy, those who pay into the plan would have the final word on the design of the plan through the sponsors corporation.

I want to restate that while our bill would continue the current OMERS plan, we also are specifically providing in the bill for the creation of a supplemental benefit plan for employees in the police, fire and paramedic sectors. This plan will provide those employees with an opportunity to bargain locally for access to these additional pension benefits. These benefits include a 2.33% pension accrual rate, a factor 80 or 85 early retirement option, a pension benefit based on either an employee's average earnings over his or her final three years at work or the final four years at work.

Some have said that the McGuinty government has singled out firefighters, police officers and EMS paramedics and given them special consideration in this legislation. Well, that is true. When a firefighter runs into a burning building while everyone else is running out, frankly, they've earned special consideration. When a

police officer places his or her life on the line to keep our communities safe, they've earned special consideration. When a paramedic rushes tirelessly from call to call saving lives, they've earned special consideration. These are careers that are physically and mentally challenging. These are careers that not everyone could or would want to pursue. These are careers that often lead to early burnout. These are careers that often require earlier retirement requirements and concerns.

So the McGuinty government proudly stands with our firefighters in this bill. We proudly stand with our police officers. We proudly stand with our paramedics in saying through this legislation, "You are special people in our communities. Our communities and our residents would not be safe without you. We appreciate your personal and special sacrifices, and we understand the special challenges that your noble line of work demands." That is why we have agreed to a long-standing call from our firefighters, police and paramedics to accommodate their requests for supplemental benefit plans to be available that consider their special work, environment and circumstances.

That being said, we recognize as well the concerns raised by municipalities, concerns raised by AMO, who have clearly stated some of their financial concerns about what this bill may do. Many of their concerns have been brought out in what could be called a worst-case scenario. They've assumed full take-up of these benefits immediately. All who have come before us who are in the know on this particular legislation, all from the employee sectors who have brought forward these requests, have indicated that that is not only unlikely to happen but it's totally unrealistic to expect full take-up of these benefits.

But we have taken some of the concerns expressed by AMO and municipalities into consideration, and let me just outline a few of those areas.

Firstly, this bill would not impose any new pension benefit on any new employer or employee. There will be 24 months set aside to set up supplemental benefits, and it would then be left up to the local groups of employees and employers to decide if they wish to access this new pension benefit. This would typically happen during the collective bargaining process.

Secondly, the cost of any additional benefit would be shared 50-50 by employers and employees. That's important to note because, as I said before, employees who have come before us or representatives of those employees have said that their employees, the people they represent, will be very conscious as well about the costs that may be incurred to them as they move forward with these initiatives, and some of those costs could be prohibitive to the employees. So there would also be a check with regard to the amount that's used there.

Thirdly, this government recognizes that the costs of these benefits, if they are subject to the full requirements of the Pension Benefits Act, such as solvency funding requirements, could be quite onerous for both employees and employers. That's why the Minister of Finance has issued a letter to OMERS indicating that he's prepared to

recommend that the proposed new supplemental benefits be exempted from the solvency funding rules through an amendment to the Pension Benefits Act, provided the plan meets certain conditions. That's very important, because it brings the costs down substantially for both parties. It makes these particular initiatives quite doable. This would make supplemental benefits more affordable to both employees and employers.

Fourthly, we've employed employer protection in the proposed legislation that limits each employer to deciding on no more than one of the benefits at any particular time.

We've also heard concerns about the decision-making processes for the sponsors corporation as outlined in the bill when it was introduced. We've heard those concerns and the government and committee members have supported amendments that refine the decision-making structure of the sponsors corporation. The bill, as now amended, would require the decisions on specific major changes to the plan, such as changes in benefits and contribution rates, to require a two-thirds majority vote on the sponsors corporation. We would want to ensure that there is significant support from both employers and employees for any major changes to this plan. That provides an environment of stability in decision-making. Access to mediation and arbitration would require majority support by the sponsors corporation representatives of both employers and employees.

This has not been an easy assignment for any of us, given the complexity of this particular issue. Other governments have tried to move forward on this particular matter; unfortunately, they failed. We will succeed because we believe devolution is the right way to go with this. It makes no sense for the province to be administering a pension plan that serves mainly other employers and other employees.

Few people disagree with the view that our municipalities are ready to take on more autonomy. Previous governments over the last 100 years have considered municipalities creatures of the province. Not the McGuinty government, Mr. Creature—Mr. Speaker. I hope that wasn't unparliamentary, Mr. Speaker.

We believe that municipal governments are bona fide, duly elected, responsible, mature levels of government—just like you, Mr. Speaker, very mature and responsible.

Is a local councillor any less important to the public, less accountable or less responsible to the public than an MPP or an MP? The McGuinty government would say no. The McGuinty government is changing the relationship between municipalities and the province, unleashing the skills, creativity and ability of municipal governments.

Will municipal governments make mistakes? They may, but so do other levels of government. The key is that they will be just as accountable to their constituents as we are to ours.

1640

Bill 206 follows a long list of initiatives being taken by the McGuinty government that recognize the maturity

and ability of our municipalities to govern themselves more autonomously: Planning Act changes; the Strong Communities Act, which this Legislature passed this past year, that ensures that municipalities have a say over urban expansions and that they're not appealable to the Ontario Municipal Board; more time to consider their applications, which respects their ability to do the good work they do.

Today, the minister announced Ontario Municipal Board changes. This is a watershed moment for planning in Ontario. The Ontario Municipal Board had morphed into a planning decision-making body. These reforms return the decision-making function to our democratically elected local representatives and their constituents. They return the OMB to its original function as an effective appeal body to protect the integrity of the planning process as well as the overall public interest.

There are many, many changes that will be coming into place that municipalities have been calling for for quite some time, everything from ensuring that there is a complete application, which ensures that decisions are being made up front and that council and the community have all the information going forward when they make decisions, to ensuring that there are up-to-date planning documents, to ensuring that decisions are being made based on up-to-date planning decisions.

As well, we are protecting employment lands across the province, something that many municipalities have been calling for. We're giving them the ability to make decisions with regard to planning applications that may endanger employment lands, and those decisions will no longer be appealable to the Ontario Municipal Board.

We're encouraging early consultation, so that developers and applicants are talking to planning staff before their applications even come forward, to ensure that those applications are complete and to ensure that they know the responsibilities they have to bring forward information to council. We'll be making sure that Ontario Municipal Board decisions have regard to municipal decisions, among many other areas, many other changes that will be to the benefit—all in keeping with the theme of ensuring that municipalities have the autonomy they need to make these decisions.

We'll be moving forward later this week with changes to the City of Toronto Act, with a brand new City of Toronto Act that also takes into consideration our respect for municipalities as autonomous, mature levels of government, to give them the tools they need, the powers they need to move forward and compete with other municipalities their size around the world, and the access to alternative sources of revenue that they require to compete with other municipalities around the world, access that many other municipalities the size of Toronto have. We're also moving forward with changes to the governance structure to ensure there will in fact be more accountability at the city of Toronto, both on the part of the mayor and on the part of council.

We're moving forward as well with Municipal Act changes that I think will also bring forward greater

autonomy for municipalities. The Respect for Municipalities Act, which this body just passed minutes ago, is also an example of having respect for the autonomy of municipalities. In the end, that's what it's about: respect for municipalities.

It's about respect for the judgment and accountability of employees and employers, who all have an important stake in the OMERS pension fund. We've listened to many of the stakeholders in this debate. We've listened very, very carefully to many of the concerns brought forward. We've made changes to the representation on the sponsors committee to ensure that it fits closer with representation by population. We've listened very closely to the concerns brought forward in that respect by CUPE and ensured that they in fact will have greater representation on the sponsors committee to better reflect the number of employees they represent who are impacted by the fund.

We've moved a number of motions—many motions—and the opposition moved some motions, and we've accepted at least one key motion that came forward from the member from Hamilton East. We were pleased to support her and her efforts on one particular motion. She moved forward many, many motions, some of which we were able to entertain. Others went in a direction that was different than the direction we wanted to go.

One area that was critical was ensuring that the sponsors corporation and the administration corporation are separate in terms of their governance. We wanted to ensure, quite frankly, that the sponsors corporation, which in the end runs many parts of the administration of the fund, is not interfering with the important decisions that come into place with regard to the investment decisions. Investment decisions must be made without regard to political affiliation, without regard to political philosophy. I think the structure we've put in place will pay due regard to that to ensure that this pension fund is healthy going into the future and that it will be well administered.

We look forward to continued hearings on this. We look forward to second reading, hearing further from the stakeholders and bringing this back in the new year even stronger and with a brighter future for all involved with the OMERS pension fund.

Thank you very much, Mr. Speaker. Again, my apologies for the unparliamentary use of the word "creature."

The Deputy Speaker: Questions and comments?

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to add some comments to the speech from the Minister of Municipal Affairs and Housing and the member from Scarborough Centre to do with Bill 206.

I wanted to get it on the record that in my riding, Parry Sound–Muskoka, I've certainly been hearing from many municipalities that have concerns with this bill, in particular their concern with additional costs that they might be facing if this bill passes in its current form. I note that I've received either resolutions or letters from nearly all of the 26 municipalities in Parry Sound–Muskoka.

I want to note a letter from the township of Muskoka Lakes, from Mayor Susan Pryke. In it, she points out that, "We are concerned that the province is rushing to reform one of Canada's most important pension funds without a reasonable understanding of the potential repercussions."

It goes on to say, "Given the magnitude and implications of this legislation, due diligence is required to ensure the plan remains viable, that benefits are affordable, and that taxpayers' best interests are protected. As it is written, we believe that Bill 206 could cost employers, employees and taxpayers dearly in the years and decades to come"—and there have been some big figures bandied about.

"Specifically, we ask

"—that you request actuarial analysis regarding the potential cost of the proposals within Bill 206

"—that you call for adequate due diligence to protect the long-term financial stability of the OMERS pension plan and

"—that you ask the Minister of Municipal Affairs and Housing how public interest will be protected in the future if the bill continues to rest on simple majority and mandated and binding arbitration."

I wanted to get it on record that just about all of the 26 municipalities in Parry Sound–Muskoka have written similar resolutions and letters to me raising concerns. I certainly want to see this bill go to further committees in the new year so that these municipalities can have their concerns addressed and the government does its due diligence.

Mr. Michael Prue (Beaches–East York): I had an opportunity to listen intently, as I always do, to the member from Scarborough Centre. You see, our paths have crossed over so many years. He was on the municipal council in Scarborough when I was on the municipal council in East York, then we both ended up in the megacity together for four or five years, and now we both ended up here, almost sitting beside each other again. It seems that no matter what I do, I can't get away from him. But he is a good guy.

I want to say that when he talks about municipalities, he does so with some authority. Where I have to disagree with him, I think, is that he is willing to go timidly into the changes toward the municipalities, whereas I think that sometimes a great deal more must be done for the municipalities, particularly the larger ones, to recognize them as full partners in government. It is trite to say that these municipalities have enormous talent and resources and lawyers and planners and everybody to assist them, and far too often the province is overlooking even the most minute of details.

Whereas we in the New Democratic Party welcome some of the initiatives, including this initiative around the OMERS pension plan—and I believe my colleague from Hamilton East, who is our pension expert, is to do the leadoff speech—we do look to the other initiatives taken by this government in municipal reform as being somewhat timid, as was the announcement made today

on the Ontario Municipal Board, because there is so much more that can be done. It is an unelected, archaic body that has been around and is the only such body provincially mandated in all of Canada. One has to question why we are the only province that has such an unelected body forcing its will on municipalities.

My time is up, so I'll save some of the rest for later.

1650

Mr. Pat Hoy (Chatham–Kent Essex): I'm pleased to rise for a few moments to speak about Bill 206. First of all, I want to thank Minister Gerretsen for bringing this very important bill forward. I heard about the need for change, or the want for change, to the OMERS pension plan many years ago. As a matter of fact, people came to my office and made suggestions about changes that could take place. Indeed, Minister Gerretsen has brought a bill forward that provides for change.

I want to compliment the member for Scarborough Centre, Mr. Duguid, who took this through the committee stage. The persons who appeared before the committee, those employers and employees, would know that we took this to committee after first reading. It doesn't often happen that that would take place, but in this case, with this very important piece of legislation, that did occur.

I think our government has taken the view of listening to folks who felt, on all sides, that those who pay into this plan should govern their own destiny. It only makes sense to me and to our government that the plan's future should lie with those who take part in the plan themselves. They should have the final word. It seems only right and proper.

There has been conversation about firefighters, police and EMS units. Yes, representatives from those organizations came forward to the committee and gave their view on how this plan could change. But also, persons under other leadership, who I would characterize as caregivers, came forward too, who also had good input into this change.

I am pleased that we brought this forward. I want to take this opportunity to wish everyone in Chatham–Kent–Essex a safe and happy holiday.

Mr. Ernie Hardeman (Oxford): I do want to thank the parliamentary assistant, who did what they call a yeoman's job taking this bill through the committee process. I had the opportunity to serve with him, and though we didn't agree on a lot of the issues in the bill, he did a good job of explaining them so that I could understand them, and that was very helpful.

I also want to say that they made a good presentation on the bill as it relates to one part: the intent of supplementary plans for employees and the support for that. There was great support for that part of the bill. The other part, though, the concerns that municipalities had—hopefully, as I get the opportunity shortly after this, I will speak a little bit about the problems that others saw with the bill that have not been addressed thus far.

I do want to say, in putting the bill forward, that I commend the government for having put it out after first reading. I think, as we put on the presentation following

this, we will realize how important that was, not only for the bill, but for the government itself.

Again, thank you very much for having this opportunity to say thank you to the parliamentary assistant for a job well done.

The Deputy Speaker: Member for Scarborough Centre, you have two minutes to reply.

Mr. Duguid: Thank you to the member from Parry Sound–Muskoka, the member from Beaches–East York, the member for Chatham–Kent–Essex and the member for Oxford. It must be getting close to Christmastime. We're all getting along here today and saying nice things about each other.

In reality, this is a difficult piece of legislation, and it was challenging for committee. We're not pension experts here, and it was almost a different language when you look at some of the things we had to deal with. I think we worked very well together as a committee to try to explain and define, and we had very competent staff at the table working right with us.

I'd like especially to thank the member for Oxford for his work at committee. He asked a number of very important questions. In fact, some of his ideas were brought forward and we've implemented some of those ideas, although maybe not in the exact way he would have liked us to, but very close. So there were a lot of commonalities during committee as well.

I want to thank the minister's staff as well on this. Just like us members, they weren't pension experts when this came on, and they've had to make themselves pension experts in a very short period of time. As a result, they've been able to provide us with very helpful advice as we worked our way through this.

This is an important bill. It's important, I think, for the province to devolve the responsibility in this fund to those who are most impacted by it. That's really, in simple terms, what we're doing. We're saying that the province really has no business administering a pension fund that we have very little interest in or responsibility for. The people who are affected by the fund should be the people appointing the representatives to run this fund.

I'm confident that with the amendments we've put forward, following further consideration at second reading, we will bring forward very solid legislation that will ensure that OMERS exists successfully for many, many years ahead, for the benefit of all.

The Deputy Speaker: Further debate? The member for Oxford.

Mr. Hardeman: Thank you very much again, Mr. Speaker, for allowing me to stand to debate the Ontario municipal employees retirement pension plan bill.

This bill was introduced, as we all know, in the House for first reading and then put out to committee for public hearings. At the time that was done, as was said before, we all appreciated that happening because so often the bill is written and the law is entrenched and there's no opportunity—really, no real opportunity—for all the members of the Legislature, indeed all the public, as they make presentations, to have real, meaningful input into

the bill. So I was very happy to see that this bill—it's such an important bill; it deals with the future of so many people. There are an awful lot of people who are covered and participate in the OMERS plan who have a great stake in what happens to the plan and how it is devolved, remembering that the government's initial purpose for this bill was to devolve the pension plan from the provincial government being the sponsor of the plan to making the employers collectively the sponsors of the plan, to be administered by the employees and the employers in the municipal sector.

Of course, the minister, when this was introduced—and I'll get back to that, but I'm just going to go in sequence here. When the committee hearings for the bill started, the minister came forward and suggested that this had been a bill that had been asked for for a long time and that there were a lot of people who thought this devolution of the pension plan to municipalities was a very important issue for municipalities and municipal employees. I'm not sure whether he actually said it literally, but the implication was that as we were having these hearings, there would be a lot of support for the principle of the devolution of the bill.

The problem at that time was that, when that was the driver of the process, it was agreed that we would have two days of hearings where people could make presentations to the bill and then we'd have two days of clause-by-clause to put it together so it could come back to the House for second reading. When the word went out that we were having public hearings and people could come and participate, the cards and letters started flooding in. A lot of people wanted to speak to this piece of legislation because of how important it was to their future and their livelihood.

When the deadline came for people to have applied to make presentations, less than 20% of the people who wanted to be heard could be heard because of the time constraints. During the hearing process, we did request that the government committee members agree to extend the time so we could hear from more people, but it was deemed that that wasn't appropriate. Of course, we decided then to proceed, to do the best we could with what we had heard. I think it's important that some of the comments that people made in writing as they applied for the right to be heard go on the record to make sure, as we proceed with this bill, as it goes back for second reading, that in fact some of those viewpoints are put forward. I hope to do some of that.

1700

The other thing, of course, that I just wanted to cover: When we started getting presentations at the hearing, the issue of "It's been asked for for a long time"—we had trouble finding anyone who was coming forward to suggest that anyone had asked for it at all. There were some people coming in to support it; a few, not many. The vast majority of the presenters were in opposition to it. No one said that they were the ones who had been asking for this bill, and very few were coming forward and saying they supported the bill as it was being presented.

Then again, credit where credit's due. After our hearings, when we went through clause-by-clause, there were many amendments put forward. That's what I said earlier in my comments. I think it's so important that this process took place at first reading, not only for the opposition, who saw the challenges in the bill, but also for the government who, when we had the hearings from the public, recognized that many changes needed to be made. In fact, there were 104 amendments to the bill put forward during the clause-by-clause process. To be fair to the government, they were not all government changes, but I daresay that they would have been 60% to 65% government resolutions and motions to change, and the rest would have been from the opposition. As I said, it was very important that this process be done, because that did change the bill.

The other thing that I think happened during that process: Many municipalities—I can't stand here this afternoon and say that all the municipalities in the province sent in their concerns with the bill, but many of them did. In fact, as was mentioned by my good colleague from Muskoka, in my community, the county of Oxford, all eight municipalities sent me letters and resolutions from their local councils suggesting to me that this bill was not in the best interests of their communities and that in fact their wishes were that this bill not pass. Obviously, that weighs very hard on whether we should or should not do that. I think it's very important that we have this debate and then we go back out to a full consultation process again with the municipalities. As I've said, there have been a lot of changes made to the bill, with 104 amendments put forward. There are a lot of changes, which may change the viewpoint of some people.

One of the things that I think is very important is that municipalities tended to be concerned about the costs that this bill would imply. As was mentioned by the parliamentary assistant, the cost is related to the supplementary pension system that's in the bill and how that would be allocated, based on arbitration, recognizing that the majority of the group that's entitled to a supplementary plan have their contracts. If they cannot negotiate them, they're finally settled by arbitration. The municipalities' concern was that pension benefits would be arbitrated, with no ability for municipalities to deal with that.

Many figures came forward as to how much this was going to cost municipalities. The parliamentary assistant mentioned it. I'm not able to personally make the judgment. There was a great variance of the dollars and cents that were involved, and I'm not here to suggest that I know which one is right and which one is wrong. But I was a bit disappointed when I asked the government whether they had done any calculations of the cost of this change and the devolution of the plan—not only the cost of devolving the plan but whether they had done anything to analyze the likelihood of the cost to municipalities of the change in the pension. Of course, nothing was coming forward.

The other thing that came out in the discussion as it relates to the cost was the actual cost of the plan. The

mayor of Mississauga came forward and suggested that the cost could be much greater than anyone had envisioned because of the cost to the plan, what they call in the pension plan and what she called the “unfunded liability” that appears to be in the plan now because of the premium holidays that have taken place. She wanted to know whether anyone had taken that into consideration. Again, that’s another thing that we didn’t get an answer on, as to whether that had been calculated and whether the government had any idea what that did.

Before I forget, Mr. Speaker, I would ask unanimous consent to split my time, because I’m sure you don’t want to listen for a whole hour to me speaking. With your consent, I would ask to split the time.

The Deputy Speaker: It’s only necessary that you turn the floor over before you yield it.

Mr. Hardeman: Thank you very much, Mr. Speaker.

As I said, I think it’s very important that we put on the record some of the comments of the people who had concerns with the bill as opposed to the government side putting forward support for the bill, and I recognize that both have legitimate concerns.

I have here the news release from AMO, the Association of Municipalities of Ontario. They represent all the municipalities in Ontario, save and except—again I have to rephrase that. I’m not sure that every municipality in the province is a member today. I do know that the city of Toronto is not a member, but all the other municipalities are.

The news release starts off by saying, “The Ontario government is ignoring stakeholders and pushing ahead with its fatally flawed Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act, even though it has failed to consider any financial impact analysis, including municipal research that predicts the bill’s proposals would force a 3% property tax increase in most parts of Ontario. AMO estimates that the bill’s supplemental benefit proposals alone represent \$380 million in new costs to municipal governments and property taxpayers.

“As this bill takes effect, all Ontarians should be adding 3% to their current property tax bills and asking the province what they will get in return for their tax hike. The answer is “nothing,” at a time when communities need more transit and police officers, better roads and bridges, and meaningful property tax relief,” says AMO President Roger Anderson. “While Premier McGuinty and Municipal Affairs and Housing Minister John Gerretsen both acknowledge the financial difficulties that Ontario municipalities face, Bill 206 will only make matters worse.”

“The government ended committee hearings on Bill 206 after entertaining less than eight hours of presentations from a small fraction of concerned stakeholders. It struck down an opposition motion that would have provided presentation time for more of the 80% of stakeholders who were shut out of the hearing process.

“AMO maintains that the province is rushing to reform OMERS without fully understanding the impact

on the plan, the 355,000 employees and retirees who count on it, and the property taxpayers who help fund it.”

The news release goes on at great length, but I think this kind of points out the challenges that are faced by the municipalities. Again, I’m not standing here verifying the numbers in it, but I am verifying the concern that is out there among the people involved in the plan, who will now be the sponsors of the plan, and their concern of what will happen not only to the plan but the people who have to fund it. I think that’s so important.

The other thing that’s important—and this was actually one of the presentations that I got subsequent to the hearings being set and the committee picking out who was going to be heard and who was not. This is from the regional municipality of Halton and it is the submission to the committee that would have been made had they been given the opportunity to present.

“Halton regional council, on November 16, 2005, passed a resolution that staff be directed to make a presentation on Bill 206. Unfortunately the region was not selected to make an oral presentation and therefore is making a written submission. In this regard, we believe the amount of time allotted for the hearings and the criteria to select the presenters is insufficient given the complexity and impact of the proposed changes.”

Again, that’s what I was speaking to earlier, that upon the process starting, I think it became so important that we need to have another look at the presentations and the viewpoints to be put forward. I want to put that on the record to make sure that, as it goes back out after second reading, these folks are given the opportunity to make the presentation.

1710

I think this is also very important: “The region is opposed to the devolution of OMERS as envisioned in the current format of the bill, believing it will jeopardize the future governance and financial viability of this \$36-billion plan and only sufficient governance reforms by way of amendment would possibly make this a bill that could ultimately be supported.

“The region has assessed the implications of the bill and sees that employers, plan members and taxpayers will all quickly become burdened with additional and unaffordable costs; to fund increased benefits and higher administration expenses, and to staff and support a flawed governance structure.

“This bill ignores the best governance practices of almost every devolved public sector pension plan in Canada, at the expense, we fear, of the region, our employees, other OMERS stakeholders, and local taxpayers. The region submits that a bill that is truly designed to devolve OMERS in the best manner possible would have more consistently mirrored best practices found in other devolved pension plans.”

If that’s what they intended to do, much more evidence was available that they could have found a way to do it more appropriately.

At that point, I just wanted to quickly mention, as I think the parliamentary assistant mentioned, the voting,

and the fact that that was changed. Originally in the bill, it required just a simple majority for the sponsoring body to make their decisions. With the amendments, it was changed to a two-thirds vote that was required to make these specified changes in the plan. The problem with that is that the municipalities have a concern with it. We put forward a motion that would require a two-thirds vote. The government put forward a motion that would require a two-thirds vote, but if it got 50% of the vote, if it was a 50-50 vote, the difference between two thirds and 50% would be referred to an arbitrator. That's where the municipalities have a great concern, because they believe that they would automatically—it would be in one side's interest to have it go to an arbitrator, rather than try and negotiate something somewhere between the two, because if they couldn't get two thirds of the vote, they know it could go to arbitration and the decision would be made by someone else. The great concern there, on behalf of everyone who made a presentation and had concerns about how the vote would be taking place, was that in fact one arbitrator would get to make the decisions that were going to dramatically impact the municipalities and their ability to pay. In other cases, employers and the employees felt they would be entitled, but would not get it.

Again, that would be the position of a regional municipality that had great concerns over what's going to happen if this plan is passed the way it is. I could read from many others, but I also wanted—I think it was the professional firefighters and their response. This has to do with a little issue in the bill. An amendment was made—and we would all know that the OMERS pension plan is a defined benefit pension plan. I think that's in the best interest, particularly, of all the plan members. They will be in a defined benefit plan. Of course, everybody has a certain entitlement from the pension plan when they reach their retirement. The government in the committee took that out. It no longer is a defined benefit plan. It could be either one. The original bill included that in the wording, but that is now out. I'm sure that that's not in everyone's best interests.

I think there were some questions on that to the president of the firefighters' association. This was the comment he made here in Hansard on November 16. The question was from Mr. Hudak: "I have a couple of quick questions. Defined benefit versus defined contribution: You want it enshrined in the legislation that it would remain a defined benefit. Under the principle of autonomy, it would be up to OMERS to determine whether that is appropriate on a go-forward basis. Why do you think it's important to enshrine in legislation that that wouldn't be an option" for the future of OMERS?

On the principle of this, the intent, of course, is to make the board autonomous, and both the employer and the employee's side of the pension plan get to make the decisions as to how the plan will work. So it seemed like a reasonable amendment to make, to take that out and say, "Let the board make that decision." Mr. LeBlanc says, "I think the issue is that it's a defined benefit plan

now, and to provide the level of confidence and comfort for both our retired and active members on a go-forward basis, we should establish that one of the basic principles of this plan is that it shall remain a defined benefit plan."

I think every employee who is presently covered by an OMERS pension would agree that it should have remained a defined benefit plan, and I'm sure, as more research is done and more consultation is done after second reading, that that part of it will be looked at on behalf of government to make sure that the bill comes out with what is in the best interests of all the participants in the plan. I'm sure they will look at that.

This was also a presentation at the committee. It was made by members who would be part of the sponsoring corporation, so it would be on the management side: "If the government is sincere about OMERS' autonomy, it must not impose any requirements on the sponsors corporation to consider supplemental plans. In a real autonomy model, these decisions would be left up to the sponsor corporation, not imposed in legislation." Again, this deals with the devolution and the autonomy. I think the argument was that if you're going to devolve the operation of the plan to what in the bill is considered, and the minister has said is, the appropriate body, which is the management and labour of the OMERS plan, then why would you put all kinds of things they have to do prior to the devolution?

I want to be clear. The real reasons for the devolution seem to evade everyone. It's a great principle that the plan should be owned and operated by the owners and the operators, I guess is the wording for it, but in reality they said, "This is the only plan where the province is involved in any way, where it's still operated by the province." But there doesn't seem to be any good reason. The OMERS board came to the committee and suggested that it would be good to have this process changed because, when you wanted to make changes in the plan, it took too long, because it had to go through the provincial government and through a board that didn't meet as often as they would. Yet, when the bill came forward, the original bill said that the sponsoring corporation that's being set up of all the employing groups would meet once every three years. When we asked the OMERS people whether the OMERS board met less than that now, of course, the answer was no; they meet quite a bit more regularly than that, but then they have other functions too. Is it reasonable to assume that a change takes longer than three years to put through the provincial government? They were quite ready to say that sometimes it takes longer than three years, but it wasn't a given that it had to take that long.

The other paragraph on the supplemental plans: "... the logistical challenges of supplemental plans are considerable and complex" and "would have to be managed and administered by OMERS on behalf of approximately 900 employer groups, not to mention the anticipated significant increase in actuarial and technological costs." This speaks of changing the plan and putting it over and mandating a cost to the new organ-

ization that presently doesn't exist, but putting the supplementary plans in, in legislation, actually increases the cost, and no one has done any analysis of what that will be. Again, it says, "Early retirement benefits through supplementals will impact the base plan and will surely whipsaw across" the entire public sector, including provincial services such as the Ontario Provincial Police, since they provide much of the police service in rural Ontario." This is the challenge of changing the plan and not knowing how we're going to administer those changes, and then turning around and putting the cost of that on the plan, with no way of actually recouping that or having that looked after.

1720

Now, I have here a couple of other ones that I think are very important. This is a letter that came from the town of Greater Napanee. I believe that's represented ably by the Minister of Agriculture here in the Legislature. The letter is to the clerk of the committee. "On November 1, 2005, council wrote to the Honourable John Gerretsen with respect to Bill 206. In that letter council stated its belief that Bill 206 includes significant, potentially costly and unnecessary changes to the governance structure of OMERS, including a sponsor corporation structured to be governed by arbitration. Bill 206 would permit the creation of an expensive supplementary plan to provide optional enhanced benefits that will impose new collective bargaining obligations on municipalities, the operating costs of which cannot yet be fully assessed and thus the province has a responsibility to study the potential impact of the changes it is proposing and to share the results with employers and employee groups."

I think that's the point I'm trying to make, that the government has not done an adequate job in assessing these costs. Again, I'm not suggesting that the amounts are right, but I think this letter kind of explains that the question is out there. If there is a cost, even if there isn't a cost, if all this is not the case, then why hasn't the government got that information and those cost analyses to prove that?

"A preliminary estimate of the cost of Bill 206 to the town of Greater Napanee, if supplemental plans are demanded, has been calculated at \$76,043. This would represent a 2.2% residential tax increase with no improvement in services. This increase is in addition to the increase that will result from the change in contribution rates expected for 2006." Again, those are the increased costs which are going to be imposed based on the premium holidays that have been in place because there was sufficient money to fund the plan, and now that has to be changed and go back to paying. Their 2.2% is over and above that.

"The Association of Municipalities of Ontario ... has now had an opportunity to make a submission to the standing committee on general government on November 16, 2005.... [T]he town of Greater Napanee, at its regular meeting on November 14, 2005, again supported AMO's position with respect to Bill 206." It goes on to explain

that position. I was there for the presentation of AMO and I can assure you that AMO was—I guess "opposed" to the devolution the way it was being proposed would be putting it somewhat mildly.

I have another one here from the county of Haliburton. "The committee of the whole"—this is a resolution directed from the county—"recommends to county council that the county calls on the Minister of Municipal Affairs and Housing to respond on how the public interest will be protected"—asking the minister to respond—"when the province withdraws from OMERS, that the minister undertake due diligence to protect the long-term financial stability of the OMERS pension plan and ensure that appropriate protections are in place to ensure municipalities and staff are not paying for benefits that they cannot afford; and

"The Ontario Minister of Finance respond on what the effect of the OMERS devolution will be on provincial funding partners such as children's aid societies, school boards and on future negotiations with provincial employee groups such as the Ontario Provincial Police; and

"That the Minister of Municipal Affairs and Housing and the standing committee of the Legislature be advised of the county's support for the position taken by AMO...."

I think this really comes back to the fact that the government has not provided the information and the studies to prove that what they are proposing to do in fact does, first of all, what it says it's going to do and, secondly, can justify and reassure the municipal stakeholders as to what impact it will have.

I have here from Hansard a part of what was read into the record by my friend Mayor McCallion from Mississauga:

"We believe any legislative changes to OMERS must be carefully considered due to the potential financial impact on municipalities. It could result in the most major downloading that has occurred to date. Given the many fiscal challenges Mississauga is facing today, even though we are in a very sound financial position, this additional pressure will hinder our ability to maintain existing services, replace infrastructure and provide any new services.

"The city Mississauga fully supports the position of the Association of Municipalities of Ontario in its opposition to the amendments proposed in Bill 206. AMO has been very straightforward for the last two years in advising the government, 'You'd better be careful on this and you'd better do your homework.' Further, we believe this legislation requires far more in-depth study and open dialogue to ensure due diligence has been met."

I want to say that what we heard in the committee and what we've heard this afternoon from the government side on this bill is that the homework has not been done. Due diligence has not been done to actually show the impact of these changes on the budgets of municipalities.

The city of Ottawa believes that further research on the governance model proposed in Bill 206 is required: "We share the view of the Association of Municipalities

of Ontario that with such a diverse employer membership, there would be value to compare the OMERS current and proposed governance structure with the municipal workers' plan in other provinces to learn from best practices and avoid pitfalls." Again, it's just a suggestion. In this letter, they do not oppose what is here, but they really believe that the government should look at other places to see whether what we're proposing here is in the best interests of the people who are involved.

I do want to share my time, and I know my good colleague from Durham wants to speak to this bill, as he has been involved with the pension issues for some time. I'm sure he can enlighten us on some of the challenges that are faced in the bill as relates to pensions.

I want to end my presentation by saying that we have spent a number of days debating, and just voted on this afternoon, a bill that was erroneously called the Respect for Municipalities Act. I want to say that whether or not we can find enough amendments to make the bill work in the best interests of everybody, there's absolutely no way that anybody could accept or believe that the way it is now—having so many municipalities find out the discussions that took place, and the bill that was on the table at first reading, the comparators with that—this bill has been written with respect for taxpayers or municipalities in mind. Absolutely no municipal representative came before the committee in support of this bill. That's why I ask the government to make sure we get sufficient time to debate this bill or have further hearings on the bill to get public input, to make sure that as we deal further with this large pension bill which is so important to all people who are involved in the municipal sector and who work in the municipal sector, we do it right. We ask the government to make sure we have sufficient time to do that.

With that, I'll turn it over to my colleague, Mr. O'Toole.

Mr. John O'Toole (Durham): I'd like to thank the member from Oxford publicly for the work and insight he has, being a former municipal politician as well as being the leader of AMO or ROMA, I believe. He's certainly familiar with the pressures he has described in some of the municipalities. He continues in that area in his role as critic. He's very much attuned to the issues here. I commend him and the member from Erie—Lincoln for doing yeoman duty in dealing with Bill 206.

Now, Bill 206 is 30 pages long, half in French and half English, so it's about 15 pages. It's actually quite a complex bill. If you look at the divestment by the province of its liabilities as the employer record going forward, or at least the handing down to municipalities of some of the authority for administering pensions, the devil, as we all know, is in the details. When you look at this, they're setting up a couple of organizations.

1730

I want to put on the record that I did attend the days I didn't have other duties, because this is a very, very important issue, I think, first and foremost, probably for retirees. Retirees did make a presentation. I would say that the MROO, Municipal Retirees Organization of On-

tario, made a very, very thoughtful submission, as well as other leaders from police and fire, as well as from the CUPE organization. Sid Ryan made a very passionate one, saying there was going to be a disadvantage to his members in this plan.

On top of that, what's disappointing is, here are the amendments, very hastily arranged on a very complex issue. We have a 30-page bill—so really, it's 15 pages in the English language and 15 in French, as it should be—and I've got 104 different amendments.

The point the member for Oxford was making is quite valid. We've established that pensions and all the terms in there—liabilities, unfunded liabilities, the size of the workforce going forward; we're talking about some services in the broader public sector being done by other service providers. That means there's a potential the membership in the organizations in fact might shrink, while others contract the work or provide the services in other arrangements, as is the will of well-run municipalities. Mr. Hardeman has stated here several key observations by Hazel McCallion, highly regarded in a municipality that has always been seen to be run quite appropriately and administered appropriately as well.

As I said, I've listened and what I've seen with the amendments is that maybe they haven't maybe taken the time to get them right. I would hope that after this they may—they did go out after first reading, which was an admission that it was much like a discussion paper. I'm hoping, after this, they'll force us to vote on this bill. If that's the case, it's second reading. What that means to the viewer, technically, is that there is a remote chance that they could go out again and consult in the new year, which is what I hope they do.

I won't touch on a lot of the detail, but if you look at some of the amendments, if you start tinkering around with terms like "a defined benefit plan"—a defined benefit plan generally means that you get a percentage of your highest five years of pay. You may get 60% to 70% or a factor, usually two or three times your years of service, and you'll get that portion of your highest or best five years. That's a defined benefit and people know what they're sacrificing in collective agreements etc. to secure their future stability of income.

As soon as you move to a defined contribution plan, good luck. The surprises are in store. A defined contribution plan is quite different from a defined benefit. You want to maybe go slow on this one. On the defined benefit, the employer would give a percentage—it could be as much as 10%, I suppose—and the employee would give from their taxable income a percentage. It could be 10%. In the case of teachers today, I think it's as high as 9% of their payroll, and 9% of the employer's payroll goes to this fund to fund the go-forward liabilities for pension eligibility.

If you go with the defined contribution plan, I give you my 10%, the employer gives their 10%, and it's a self-directed RSP, technically, and you could potentially make faulty investment decisions. Too much stability, you may get no return; too much risk, you may get good

return or you may get no return. In fact, you could end up buying a stock like Nortel, which tumbled seriously from over \$100 a share to something just under \$10 a share.

So pension funds aren't a box of money sitting under someone's desk. They're in a market and, as we know, market certainty is something that no one—Ralph Goodale, with the exception, may know about it because of his tinkering around recently with the rules under certain income trusts and other equity markets. That's a whole other debate, but it shows the uncertainty around this fund of money.

I can recall, in my time on council and just shortly after, when many of the public sector pensions, and it's not a case of bashing any one group or another, had surpluses; in fact, huge surpluses by any actuarial calculation. So for about seven or 10 years, many public sector pensions had a contribution holiday. What does that really mean? Normally, in a defined benefit plan, the employer puts in 10% and the employee puts in 10%. When there's a holiday, nobody is putting anything into the fund. That liability, in my view—I had the privilege of working with FSCO, the Financial Services Commission of Ontario, where I learned quite a lot, actually.

The issue then was trying to confirm how to deal with pension windups, and what they would call pension surpluses. After hearing many depositions, with the advice of the very well informed civil servants who were obviously educating me as we went along, I came to the layman's conclusion that there really is no such thing as a surplus. I guess, if a company is winding up, you could consider what their go-forward liabilities are. But if they calculate actuarially that the life expectancy is, say, 72, and they work out the numbers within factors and all the rest of it, and it shows indeed that at the end of the day there may be money left, then who should get it? If it's a joint contribution plan, I think the employer should get part and the employee should get part. The employer may be the shareholders or it may be a privately owned company, but if it's a joint contribution plan, they should share both the risk and the potential go-forward rewards.

We're just touching on a couple of small issues here. If you look into the future, you're going to see changes under the Income Tax Act that are probably going to affect our own confidence in the future of a secure source of income. Why I say that and why it is tied to this is that there are provisions for most pensions. When you reach the mandatory age for collection of the Canada pension benefit, there's usually a supplementary portion of your pension that is clawed back. Let's say your pension is \$600 or \$700 a month from Canada pension, for working all those years and contributing to the Canada pension plan. There's a clawback provision. The supplementary portion of the pension entitlement you receive when you retire, say, at 60, goes away when you turn 65 and the CPP comes in. If you happen to have income separate from that, something like a registered income fund or an RSP that has been collapsed into a fund, there are provisions under the Income Tax Act that will actually

claw back, at certain thresholds of income, a portion of the Canada pension which, in fact, is now part of your pension because they've been joined upon your becoming 65.

If you cast all this uncertainty, and I'm not trying to raise great questions here—the other factors of Stats Canada and other experts who have said there's a great deal of evidence that the statistical background for many of these pension calculations may indeed be flawed. Take, for instance, simple life expectancy. Let's say you worked 30 years, starting a job at 25—that would be the 85 factor. If you started at 25, you'd be 55 years of age. At 55 you would be qualified for a 30-and-out pension. If you look at it statistically, they used to assume that males live to be about 70 or 72. Now they're living well beyond that. I think the average age for calculation has been changed to about 77, and I hope it does for both of us, Mr. Speaker, and higher, if possible. In fact, I'm happy to report that I have—

Mr. Hardeman: What about the extra years?
1740

Mr. O'Toole: The extra years become the issue. You wouldn't want to wish any harm to anyone. Certainly that's not the intent of the government, the opposition or anyone else. I hope they live in good health because if you look at the health case, there are some pressures about access to service and shortening waiting times for cardiology, cancer and other critical medical needs. The point I'm making is, if you're improving the health care system and people are going to live longer, there's another statistic that's interesting.

In your lifetime, there's an 80-20 rule, that you use 80% of your total lifetime demands on the health care system, whether it's drug benefits, OHIP benefits or hospital benefits, which are all universal programs—you use 80% of your lifetime expenditures in these areas basically in the last 20% of your life. If you keep advancing that, on top of what I call the baby boom, or Boom, Bust and Echo, David Foot's theory on all of this demographic stuff, you're going to see that there are actually some serious go-forward risks.

When I look at pensions—defined-benefit, defined-contribution, the pension rules made at two or three different levels—there's a whole bunch of governance issues here that Mr. Hardeman has pointed out. Hazel said it all, and I'm going to read a couple of quotes from the chair of the Association of Municipalities of Ontario. I consider it downloading. I've heard that the go-forward liability on the unfunded portion of the pension today could amount to as much as—I'm going to look at Mr. Hardeman—\$350 million. That's the number I hear, but no one knows with any certainty.

Why am I concerned? Well, ultimately the employer in a public sector pension is the taxpayer. It's not the government, because governments come and go. People who lead governments or don't lead governments come and go. They're not like a traditional company. The traditional company may have a future date of demise, may be resized or bought out, or their product may become

redundant, but in the case of the public sector I don't think the rules should be the same as the private sector, because I don't think they ever end. I don't think there's got to be an accrued fund to deal with certain liabilities going forward.

This is just a small demonstration in the few minutes I was given to demonstrate just how important it is to get this right because, in fairness, people working in the public sector here or in the town where you live have provided, in many cases, extremely important, essential and quite often life-threatening services for our own common security in our communities and in our province. Whether it's the 9/11 issue, police and fire working in our communities, we need those services. They need to have the protection of government. If this bill really decants the responsibility in a legal sense down to the municipality, and the municipality itself suffers a revenue problem—let's say it was a resource community, and that resource community, such as mining, because of environmental rules or whatever, was put out of business. Who in the heck is going to pay for the go-forward liabilities? Do you understand? We need them, and there are standards of service.

What about some of these unorganized territories that haven't got any solid base of revenue to go forward? What about some of the things we're hearing about, the uncertainty in the economy of—I'm happy to say that Stelco has a provision to have their restructuring plan approved, but ultimately there's a perfect example. The whole issue around the Stelco financial issue was the pension liability. The whole issue in many of what I call legacy companies—almost all the legacy companies' pensions aren't fully funded. I would only say to you, without naming names of companies—this is all part of the public record. I don't want to create uncertainty in the investment climate for pension funds themselves, a lack of confidence in our monetary system or indeed our investment marketplace, but most of the legacy companies—and I think Air Canada's issue was the pension liability. For Stelco, most of the steel companies, most of the older companies—including the auto sector, the Big Three—their fundamental issue is the liabilities on the pension and the benefits. Why? For the points that I've tried to establish in layman's terms of the health care system: the demand for more. Every senior is probably on one, two or more medications to save their life. Dialysis is increasing; diabetes; cardiology and people who have high blood pressure or cholesterol, those medications; all of the demands and the ability to diagnose medical things early, and then you expect the treatment, much of it high risk, whether it's for osteoporosis or symptoms that are usually a part of the body aging.

That's what these employers with defined benefits and defined entitlements, going forward—man, they'll be getting MRIs every second day of the week in the future, or will expect them under the universal access of the Canada Health Act. When you look at the courts in Quebec, and there are other cases ongoing right now—there's another case in Ontario before the courts about

someone being denied a life-saving treatment out of the country. I would say that we have questions in the House raised on this quite regularly. I would say that the member from Burlington is pressing the Minister of Health on leading-edge pharmaceutical products for the treatment of cancer. I know that the member from Kitchener-Waterloo, our own Elizabeth Witmer, is always asking questions on Fabry's and other now-defined medical conditions that have treatments.

We also know, going forward, of the province's risk with children who are being identified with autism, and it's \$30,000 to \$50,000 per child. I think the province has a responsibility. Certainly they promised to do it. Now they're not doing it, but there's a whole debate on that promise issue. In this case here, what I'm saying is, in my own family or in my own community, we each have responsibilities and we have rights. I think that the responsibility we have is to be honest with the people in this whole debate on this pension thing. Is Hazel right? Is it downloading by stealth? That really is the question.

I don't say it with any malice. I say, this is so important that the government—

Interjection.

Mr. O'Toole: I won't respond to the member from St. Catharines this time, but I know that he seems to think he knows. He always seems to think he knows. The member from St. Catharines continuously interrupts and continuously embarrasses himself. That's what I say here.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): You're the one that has embarrassed himself. Don't you get into that—

The Deputy Speaker: Order.

Hon. Mr. Bradley: Don't you get into that.

Mr. O'Toole: The member from St. Catharines is now yelling, in my time.

Interjection.

The Deputy Speaker: We're just going to proceed calmly and orderly.

Hon. Mr. Bradley: Don't you get into that. You were on record the other night, you smart aleck.

The Deputy Speaker: House leader.

Hon. Mr. Bradley: I heard you. I'll bring the newspaper in for you. How's that?

The Deputy Speaker: Government House leader.

Hon. Mr. Bradley: You want to play that little game?

The Deputy Speaker: I can stand here for a long time. Let's have some order.

The member from Durham.

Mr. O'Toole: I just wanted to change the topic. Roger Anderson is the chair of Durham region. Roger appeared before the committee, as he should, for the Association of Municipalities of Ontario. This is what Roger said. Roger represents the mayors from many of the municipalities that Mr. Hardeman spoke of. I'm quoting here: "AMO maintains that the province of Ontario is needlessly rushing in to reform one of Canada's most important pension funds. A wholesale restructuring of something as

complex and as important as the OMERS plan ought to be carried out by qualified pension experts, who are few and ... far between. We can verify that because we had to find them to prepare any credible analysis of this bill. It was AMO, as a matter of fact, that had to ask OMERS to undertake a financial analysis on matters contained in the proposed legislation." So it was initiated by AMO. "No one else seemed interested in this, including the government, and not even the unions."

There he is concerned about the risk to his taxpayer base, and I commend him for that.

1750

I'm going on to quote here. He says, "This committee has given a bill that would fundamentally transform the \$36-billion OMERS plan only eight hours of public consultation." Does it seem reasonable, on this complex issue, to have eight hours of hearings?

I'm going to continue here, as time permits: "If the bill moves forward to third reading, as we anticipate, under these circumstances, without being returned to this committee for meaningful stakeholder consideration and input, this government and this committee may have a great deal to account for. I suggest that the onus is on you to get it right"—meaning the McGuinty government. "The costs are staggering for municipalities."

He also said that municipalities who are OMERS employers "are profoundly concerned about the impact of Bill 206 and the potential for significant costs to be funded by municipal taxpayers."

That, Peel members, is short for downloading. You've got to look at the whole concept of downloading by stealth, and that's what's untoward here. I can also say that many of the municipalities that spoke, including Hazel McCallion and others, have every right to be concerned about what the McGuinty government is up to.

In fact, this is a letter to Doug Moffatt. Doug Moffatt is the chair of the police services board in Durham. He's also a Liberal candidate. He had written to Minister Gerretsen questioning this pension liability issue. Here's Mr. Gerretsen's response to Doug Moffatt, chair of Durham Regional Police Services Board, dated November 8:

"Thank you for your recent correspondence and for sharing your views on Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act.

"We are taking into consideration all comments received while work on Bill 206 continues.

"As you may know, Bill 206 has been referred to the standing committee ... on November 14, 16, 21 and 23, to ... discuss the bill. For further information on these proceedings"—and he refers them to a Web site.

They were concerned as a police services board. Hazel McCallion is concerned; AMO is concerned; our critic, Mr. Hardeman, is concerned; and I'm concerned. I'm concerned both as a taxpayer and as a potential retiree of the future to know what certainty around pensions this government is prepared to partake of.

Much could be said about the lack of a pension in this Legislature. I might want to look in the mirror when that

happens, because we were government when we struck down the members' pension act. I think, quite honestly, that wasn't perhaps explained to us too well at that time. Otherwise, we probably would have had a small rebellion.

There are a couple of sections in the bill, in the very brief time that's left, that are quite technical. One of them is these two organizations, both the administration corp and the sponsors corp, and the governance model and the functions they perform. It is in the bill and it's rather technical, but all it really means is that the administration corp is going to actually administer the investments on behalf of the sponsors corp, which is the employer and employee groups. There are many, many groups, and their needs differ.

I want to compliment the member from Oxford for trying to move—because there will be disputes within the union groups, within the employer groups, on the administration of the plan, to say, "How much risk can we tolerate to enhance our rewards?" But the member from Oxford and the member from Erie—Lincoln moved an amendment to the bill which would have required a two-thirds majority for any major changes within the administration of these groups. I think that was good advice; I think it was well meant and well intended. That's what I think the government and other stakeholders in this discussion are waiting to hear.

I would say that, again, for persons that are interested in pensions, this is one to keep an eye on. If you take the \$350 million that is probably being downloaded, with more risk going forward, because this grows exponentially—basically, the payroll for the municipality, local level or upper tier, is about 75% to 80% wages and benefits. It is the single largest piece of their total budget. Whether it's the city of Toronto or Durham region or the municipality of Clarington, where I live, the single biggest issue—and the pension is the second part of it. I quote here from an article in the Toronto Star by James Daw in 2005. Roger Anderson warned that most municipalities face a 1% to 2% tax increase for any increased contribution in 2006. So that's 1% to 2% just on those contributions alone.

I find that this bill needs to go out for further consultations, and I'd be pleased to be supportive of that initiative by the government and the minister, Mr. Gerretsen.

The Deputy Speaker: Questions and comments? The member for Northumberland.

Mr. Lou Rinaldi (Northumberland): Thank you, Mr. Speaker.

The Deputy Speaker: The member for Northumberland has yielded the floor. Questions or comments? The government House leader.

Hon. Mr. Bradley: I seek unanimous consent to adjourn the debate on Bill 206 until it is next called, in order to move a motion respecting the business of the House for this evening.

The Deputy Speaker: Is it agreed? Agreed.

Hon. Mr. Bradley: I move that notwithstanding any standing order or the order of the House of earlier today, the House continue to meet beyond 6 o'clock for the purpose of completing consideration of the motion for second reading of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act and make complementary amendments to other acts; and the motion for third reading of Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005; and

That each of the recognized parties be allowed to speak for up to 25 minutes on the debate on the motion for third reading of Bill 214; and

That following the completion of consideration of both bills, the Speaker shall adjourn the House until Tuesday, December 13, 2005, at 1:30 p.m.

The Deputy Speaker: Mr. Bradley has moved that notwithstanding any standing order or the order of the House of earlier today, the House shall continue to meet beyond 6 o'clock for the purpose of completing consideration of the motion for second reading of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act and make complementary amendments to other acts; and the motion for third reading of Bill 214, An Act to amend the Election Act—

Mr. Gilles Bisson (Timmins–James Bay): Dispense.

The Deputy Speaker: Dispense? Agreed? Agreed.

ENERGY CONSERVATION RESPONSIBILITY ACT, 2005

LOI DE 2005 SUR LA RESPONSABILITÉ EN MATIÈRE DE CONSERVATION DE L'ÉNERGIE

Resuming the debate adjourned on November 30, 2005, on the motion for second reading of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act / *Projet de loi 21, Loi édictant la Loi de 2005 sur le leadership en matière de conservation de l'énergie et apportant des modifications à la Loi de 1998 sur l'électricité, à la Loi de 1998 sur la Commission de l'énergie de l'Ontario et à la Loi sur les offices de protection de la nature.*

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments on Mr. Yakubski's speech?

Further debate? Does any other member wish to speak?

Mrs. Cansfield has moved second reading of Bill 21. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

Pursuant to standing order 28(h), I have been handed a request by the chief government whip that the vote on the motion by Minister Cansfield for second reading of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act, be deferred until deferred votes on December 13, 2005.

1800

ELECTION STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉLECTIONS

Mr. Bradley, on behalf of Mrs. Bountrogianni, moved third reading of the following bill:

Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005 / *Projet de loi 214, Loi modifiant la Loi électorale, la Loi sur le financement des élections et la Loi sur l'Assemblée législative, abrogeant la Loi de 1996 sur la représentation électorale et édictant la Loi de 2005 sur la représentation électorale.*

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I'll be sharing my time, but our speaker, the member for Bramalea–Gore–Malton–Springdale, will be here.

The Deputy Speaker (Mr. Bruce Crozier): The Chair recognizes the member for Bramalea–Gore–Malton–Springdale.

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): I'm pleased to begin third reading debate on Bill 214, the Election Statute Law Amendment Act, 2005, and I'm happy to be contributing to today's debate in my capacity as parliamentary assistant to the minister responsible for democratic renewal, the Honourable Dr. Marie Bountrogianni. Minister Bountrogianni is currently in Hong Kong representing Ontario's interests at the ministerial conference of the World Trade Organization.

Bill 214 is important because, if it's passed, it will improve Ontario's democracy by moving ahead in three key areas: first, preserving 11 ridings in the north; second, fixed election dates; and third, real-time public disclosure of political donations. I'll explain these in a bit of detail.

First, this bill will preserve the 11 ridings in the north. If this bill is not passed, the north will lose a riding in the next Ontario general election. Over the years, northern Ontarians have seen their representation in this Legislature go down and their voice in provincial affairs weakened. Our government recognizes that all regions of Ontario have an important role to play in building a

strong and prosperous province. To do this, all regions must have a strong representation in the Legislature.

Maintaining 11 ridings in northern Ontario will guarantee an effective voice for the north. This bill will also add four ridings in southern Ontario, in accordance with the federal redistribution that reflects population growth in the south. Ultimately, Bill 214 will make sure that the different perspectives of all Ontario's regions will be heard, considered and debated in this House. As a result, all Ontarians will have a voice in shaping the future of our province.

Second, this bill will set fixed election dates. General elections will be held on the first Thursday in October every four years, starting on Thursday, October 4, 2007. The right of Premiers to call elections based on partisan and political considerations will be a thing of the past.

Furthermore, this bill will set fixed election writ periods of 28 days. All parties and candidates will know when future election periods start and end, and everyone will be on a level playing field. In the past, governments of all stripes have played games with election dates. Some have called elections too early; others have clung to power too long. These games have always been driven by efforts on the part of the government of the day to choose the most politically opportune moment to go to the polls. This bill will change all that. Never again will a Premier have the divine right to set election dates.

Why are we doing this? Because elections are solemn democratic events that belong to all of us, that belong to the people of this province; because the dates of those events should be chosen to make it easy for as many of us as possible to participate as citizens in choosing our representatives; and because, when the government manipulates democratic events for its own partisan advantage, the people of this province are not well served, and that's not right. With this bill, we are proposing that the date of the next general election, and of all subsequent elections, will be known in advance by everyone.

Third and finally, this bill will make donations to political parties more transparent to Ontarians by requiring real-time public disclosure of political donations on the Internet. This means that all contributions of over \$100 to a political party or leadership campaign will have to be reported to Elections Ontario within 10 business days—not up to a year later, as is the case right now. Elections Ontario will then have to post this information, including the contributor's name and the donation amount, on its Web site within 10 business days. This reporting provision will be retroactive to January 1, 2004.

Bill 214 also provides for meaningful enforcement of the new rules through stiff fines. For example, if the chief financial officer for a party or leadership contestant is found to have knowingly breached these new real-time disclosure requirements, he or she would face a fine of up to \$5,000; and if a party or leadership contestant is found to have knowingly breached these real-time disclosure requirements, the party or contestant could face a fine, upon conviction, of up to double the amount of the undisclosed contributions. As a result of this measure,

Ontarians will have a political finance system that is more open and transparent than ever before.

In summary, Bill 214 charts the course for meaningful and fundamental improvements to how Ontarians govern themselves. This bill will secure strong and effective representation for all Ontarians in the Legislature; it will set aside the guessing game of when elections will be held, put all parties and citizens on a level playing field and give Ontarians fairer elections; and it will provide Ontarians with real-time public disclosure of political donations. As parliamentary assistant to the minister responsible for democratic renewal, I'm proud to stand in support of this bill.

We have already made significant progress on our agenda. We have extended the powers of the Auditor General to conduct value-for-money audits of public sector institutions, we have banned partisan advertising, we have required that cabinet ministers attend question period at least two thirds of the time and we have mandated the Auditor General to independently review the state of Ontario's finances before provincial elections.

A healthy democracy is the foundation on which we build a healthy society, because when citizens are engaged, governments make the best choices. The democracy that I want for Ontario and what our government, the McGuinty government, wants for Ontario is rich and vital. I urge members on all sides of the House to join me in supporting this bill.

1810

The Deputy Speaker: Questions and comments? Further debate.

Mr. Norman W. Sterling (Lanark–Carleton): I'm going to be sharing my time with the member from Parry Sound–Muskoka, Norm Miller.

Bill 214 basically has three sections to it. Number one is the section trying to set again—this is the second time in legislation—the election date at October 4, 2007, and then every four years thereafter. As has been readily admitted, it is really a wish the election be on October 4, 2007. The Premier of the day, Mr. McGuinty, could walk down the hall today or the day after this legislation comes into effect and ask the Lieutenant Governor to dissolve Parliament, and the Lieutenant Governor would be obligated to do so, because that's in our Constitution. So a piece of legislation like Bill 214 can't change what our Constitution says. Further, the legislation provides no sanctions against the Premier should he not walk down on the appropriate day to call the election on October 4, 2007. So the legislation really is a promise or an intent by this Premier to call the election on October 4, 2007. I think it's going to be on October 4, 2007, because it would be disastrous for the present Premier not to do that.

Mr. Cameron Jackson (Burlington): The sooner, the better.

Mr. Sterling: Yes. We'd prefer it much sooner than that. October 4, 2006, would be ideal for us.

That particular part of this bill I don't really find either good or bad. Probably we should have a constitutional amendment to change our Constitution so that this is in stone.

Also, there are some good arguments with regard to our parliamentary process that there are some real advantages to the present system in that if the party changes their leader and that leader happens to become the Premier of the province, there might be a very good reason, particularly if this happened in the early part of a mandate, for an election to be called. I don't think the people would take kindly to a party that became the majority government of this Legislature and then four or five months later the leader stepped down and a brand new person walked in and was going to be the Premier for three and a half years before the next election. There's a good argument that the public should have an opportunity to elect a Parliament around that new leader, particularly in circumstances where leaders are so important in terms of voter choice.

The second part of this legislation, which deals with election finances—I don't have a great objection to those particular sections. There can be some debate around those sections, but the only problem that I see with those particular sections is the complexity and the complications they add to political organizations. As you know, Mr. Speaker, and as all politicians know, we rely very much on volunteers. We rely on a CFO, a chief finance officer to our campaign, who is a volunteer and who puts out tremendous amounts of time. He or she is going to have additional burdens and time restraints on them in terms of meeting the expectations of this legislation for timely disclosure of contributions.

So it seems to me that the legislation might have included some kind of compensation put forward by the election office to help pay for some of this additional burden that's going to be thrust upon campaigns and candidates as we go into the future.

The most important part of this legislation, or the part which I object most strenuously to, is that part which deals with the number of constituencies or ridings we will have in the next election. As you know, in the federal Parliament we have 106 ridings. This legislation, Bill 214, will give us 107 ridings, the difference being that in the north, those ridings, including Parry Sound—Muskoka and those further north—we'll retain 11 ridings there based on the old boundaries going back to the census of 1990, and the ridings in the south will be based upon the census of 2000.

There are a number of reasons why one would object to the process, but let me state at the outset that if it is the desire of this Parliament to have 11 ridings in the north, then so be it. Let's then acknowledge that if we're going to have 11 ridings in the north, we cannot have coincident ridings with our federal cousins. In other words, if you're going to have 11 ridings in the north, then it's probable that you're going to have to have more than 96 ridings in the south in order to keep roughly the same kind of equality with regard to the voting power of each

and every citizen. That's why in this Legislature I have brought forward a boundaries commission act; in other words, an act which would set up a boundaries commission which would look at Ontario and, starting with the base fact that you're going to have 11 ridings in the north, create ridings right across Ontario.

Even in the north, I'm told that since 1990, and the facts upon which the 11 ridings in the north were based, there have been population shifts in the north as well. There might be some very good argument that while we still have 11 ridings in the north, some of those ridings should be readjusted; in other words, something be added to one and taken away from the other, depending on where those population shifts have occurred in our north.

But Bill 214 will be the first piece of legislation that this Legislature has seen since the 1950s which, by legislation, sets down boundaries not based upon an election or a boundaries commission. I read the words of John Robarts way back in 1962, when he said during a debate on the creation of the independent boundaries commission—because the history of this place has been that what happens after each census is that we set down a boundaries commission, either by resolution or by a piece of legislation specifically for that task after that census. But John Robarts said that the whole idea of setting down an independent boundaries commission was “designed to remove this whole matter from the field of politics.”

Now, what we have seen in the history leading up to Bill 214 is actually a history of politics entering into striking the boundaries, because in the last provincial election the Liberal Party, and in fact I'm told even the Conservative Party and the NDP, promised that in the north there would be 11 ridings not only before but after the election. I'm not arguing whether you're going to have 11 ridings in the north or not. I am saying, accept that fact, but you've got to be fair with the rest of the people of Ontario and you've also got to set up those 11 ridings according to a non-partisan, non-political process.

1820

We've all heard the word “gerrymandering.” Gerrymandering means that you're setting the boundaries of the electoral districts for your own political advantage. One could very easily make the case here, in Bill 214, that the governing Liberal party is gerrymandering the north for its own purposes by keeping the same boundaries as it had in the last election because, of those 11 members from the north now serving in the Legislature, six are Liberals, four are New Democratic Party members and one is a Conservative. So if they believe, and I think I believe too, that an incumbent in a particular riding—if you and I have to run in an election in the same riding as we had before, I think we have a slight advantage over someone new coming in to challenge us, because we've represented those people for a certain amount of time. If the boundaries don't change and the number of constituents doesn't change, therefore the people whom we have learned to know and hopefully serviced and helped during our period here at the Legislature hopefully will go to the polls and reward us for our good service. In this

particular case, one could, I think very easily, say that this Liberal government, through Bill 214, is gerrymandering the north for its own purposes.

There is another very significant problem here, and that is that under section 3 of our Constitution, each and every one of us is given a right to participate in democracy in an equal manner. That means, in its very strictest and purest sense, that each one of us would have the same weight for our vote as another person. It means that, in a very ideal situation—and forget about the geography and forget about the historic; forget about all that kind of thing—the very purest and best possible outcome that you could have—and you could only have this in a very homogeneous land area, and it doesn't apply here, you would have 106 ridings, all with 106,600 people, right across the province of Ontario. We know that that's not possible in the north. We know that that's not possible in eastern Ontario, where we have small amounts of population for relatively large areas.

The Supreme Court of Canada, in dealing with some arguments over the setting of boundaries, has made it very clear that you can only go so far away from this very ideal, pure goal that you would be after. If one MPP represents 75,000 people and another MPP represents 150,000 people, the person who is voting for the MPP where there are 150,000 constituents in it really only has half the say of the MPP who's elected by 75,000 people because his vote is counted among so many more people, and his representation for his vote is only half of the other. That is why section 3, while some of our electoral laws and our boundaries commission legislation—and boundaries commission legislation is in every province of Canada. It's at the federal level as well. Everyone has boundaries commission legislation, and all of them say that you can take into account geography, you can take into account history and you can take into account a number of other factors—uniqueness in terms of municipalities etc.—but you can only go up to 25% one way or the other.

Even with that kind of legislation, there are usually some fudge words in the legislation which allow the boundaries commission to go even further. In fact, the federal boundaries commission, in dealing with the 106 federal ridings, has made an exception in the farthest northwest part of our province and allowed a particular riding—I think it's the Rainy River–Kenora area—where the population is significantly smaller than the average of 107,000 voters in each constituency. It's 46% less in that particular constituency, but the boundaries commission found that particular riding so unique that it would allow that to happen. I don't think that that's a wrong decision, but in general the boundaries commission tries to stay with the same formula and deal with everybody in the same way.

The problem with keeping 11 ridings in the north but not putting more ridings in the south is that what you have in the north is, of the 11 ridings, 10 of them deviate more than 25% from the average of 106,636 residents. So you have ridings like Sault Ste. Marie—when you look at

these, you have to think about the average population of 106,636. Sault Ste. Marie has 74,566 voters. Sudbury has 79,342 voters. I think most of us would agree that somebody who covers a large area, particularly a very large area, should have a break in terms of the number of people they represent, because you have to travel long ways in between and it's harder to service and it's harder to represent in those kinds of communities. But in both Sudbury and Sault Ste. Marie, you only have areas of 247 square kilometres and 162 square kilometres.

When you say to the voters of ridings in eastern Ontario—for instance, Haliburton–Kawartha Lakes–Brock has 10,831 square kilometres, a huge area in eastern Ontario. That would be about 100 times bigger than the areas that Sault Ste. Marie and Sudbury are in, but that MPP has to represent 111,343 people. Another riding in eastern Ontario that is very large in geography, the Renfrew–Nipissing–Pembroke riding, is approximately the same area. That riding represents about 96,000 inhabitants.

So I really think that someone can, and very well might, challenge Bill 214 on its constitutional basis, because it's not about one single riding being too large or too small. I think you can make a very good argument one way or the other, but when you say that a whole host of ridings—11 of them in the north—should have special treatment, versus all the ridings in the south—and I talk particularly about those that are large and rural-based that have large populations—then I think you're in trouble in terms of your argument before the courts as to trying to be fair and trying to meet the challenges of section 3 of our Charter of Rights.

I think the proper approach would be this: Adopt my bill on setting up an electoral boundaries commission. Say to that electoral boundaries commission—and I've said it in my legislation, "We want 11 ridings in the north." Sit down and figure out whether the boundaries that you have in the north suit the population of the north. If they do, fine, but there may be some minor adjustments that are necessary, even in the north. I don't know how all the populations have shifted in the north, or whether they've shifted greatly in the north. If they haven't, they wouldn't need any readjustment. But in the south you would probably need 10 or 11 more ridings to bring the average down in terms of the population per riding, and then we would have more ridings in the south.

1830

This bill, while guaranteeing the north 11 ridings this time, does nothing for the north the next time, and it leaves open to question what's going to happen after the next election, what's going to happen after the next census with regard to what happens in the north. If this Legislature decides that it wants 11 ridings in the north from now until forever, then adopt my Electoral Boundaries Commission Act. Let's set up the electoral boundaries commission now so that in six to eight months we can have the ridings set up for our election in October 2007.

Bill 214 has some good points, but it has, I think, a real weakness with regard to making certain that the

north has 11 ridings now and into the future, and being fair with all of the people of Ontario.

Mr. Norm Miller (Parry Sound–Muskoka): In the few minutes left, I'm pleased to be able to add to the discussion this evening on Bill 214. As the member from Lanark–Carleton has already stated, it does three things, really: It maintains 11 northern ridings, brings about real-time disclosure of political donations and fixes the election date every four years, so that the next election will be on October 4, 2007.

I wanted to speak briefly to do with the 11 northern ridings. I sat on the committee with the member from Oxford, and we had some fairly frank discussions to do with maintaining 11 northern ridings. I was disappointed that a number of Liberal members—really, my feeling—misrepresented our discussions at committee.

Mr. Dave Levac (Brant): On a point of order, Mr. Speaker: I think the member would acknowledge that accusing members of misrepresentation is not proper—

Mr. Miller: I withdraw it.

The Deputy Speaker: Thank you.

Mr. Miller: I'll restate that. They gave a partisan review of what happened at committee or perhaps distorted the position that we took at committee.

We were raising some of the concerns that the member from Lanark–Carleton did in terms of how you go about determining where those 11 ridings are. I'm one of the members who will benefit from this bill passing because, representing Parry Sound–Muskoka, my riding stays more or less intact when this bill passes. I do lose the Algonquin Highlands portion of the riding, but I think it's safe to say that they're going to have excellent representation in the member from Haliburton–Victoria–Brock, Laurie Scott.

I think any of us here would rather maintain the exact boundaries of our ridings where we've been doing all our work and looking after constituents, if you're doing a good job, and meeting with municipal politicians and doing all the things you should be doing. If you're doing a good job, you really improve your position for the next election as the incumbent.

The problem we have with this bill is not maintaining 11 northern ridings; it's the fact that it's not an impartial electoral boundaries commissioner who will be deciding where those boundaries on the 11 northern ridings will be. It is, in fact, the Liberal government, from an election promise made before the election. That is the problem we have with it.

As I say, I want to be very clear that the PC Party is in favour of maintaining 11 northern ridings. We recognize how difficult it is to represent a large geographic area, and certainly in the case of Parry Sound–Muskoka, that's true. If I leave my residence and have a meeting at Dokis First Nation, it's a three-and-a-half-hour drive one way. So it's seven hours of driving before you even start the meeting. That uses up a lot of time and makes it very challenging. We recognize that.

I think it's safe to say that historically many electoral boundary commissions have recognized that in the north

and have made variances so that the average population size was over the 25% average population. But it's the principle of the government deciding where these boundaries will be, not an impartial electoral boundaries commission, that we have problems with. I just wanted to get that on the record here this evening.

The Deputy Speaker: Questions and comments? Further debate?

Mr. Gilles Bisson (Timmins–James Bay): I have some good news for members. I'm not going to use 25 minutes. I do want to put on the record a couple of things that need to be said from the perspective of two parts of this bill.

The first part, just quickly, is on the fixed-date elections. I happen to be in favour of that particular part of the bill, and I do want to say I don't think it is the majority view of our caucus. I know a number of people see it differently. I just want to say personally that, quite frankly, I think it's not a bad idea. There is some danger in doing this; I think that needs to be said. If people think they're not going to be in pre-election mode because of this particular legislation, because we know that the election date will be in October 2007, I think you're sorely mistaken. The reality is that because we know there is going to be an election on a certain date, people will be in pre-election mode way before September 2007. In fact, you will see a lot of posturing going on by local candidates, incumbent candidates, those who are challenging and party leaders, along with political parties putting together their political apparatus, way before September 2007. So if people are voting for this on the basis of, "Oh, that means I don't have to worry about being in pre-election mode until September," you've got something else coming. The reality is we're going to be in pre-election mode for a good six months to a year before September 2007.

That being said, I don't think it's a bad idea. We recognize this is the British parliamentary system. Governments can still fall by way of a non-confidence motion. If there were a non-confidence motion in this House and for some reason a number of Liberal members all of a sudden decided to cross the floor or be absent on a vote, the government could fall before 2007, because non-confidence motions would still be in order in this House. So people should not think, listening to this debate, that this now means that non-confidence motions wouldn't work, because they would take precedence over this legislation.

That being said, I just want to say that the reason I support this is that I just don't like the idea of a Premier sitting back and picking the election date based on what the oracles in the Premier's office and the party office have to say about when an election has to be held. I've now seen three or four Premiers since I've been here who have tried to pick election dates. Not all of them have been successful. Some of them, quite frankly, have had rude awakenings. I remember David Peterson, who thought he could choose the timing of an election in order to benefit the party. They were at 60% in the polls.

Surprise, surprise: They were defeated. Bob Rae got elected. Bob Rae then said, "I'm going to go to the polls" on a certain date. That didn't work for him. Quite frankly, it didn't work for Ernie Eves the last time. The problem with that is that it really does put us in an odd situation where you could be in pre-election mode of a different kind for a long period of time prior to an election. For a government to try to pick and choose when it's best to have an election according to its own needs I think flies in the face of what democracy should be all about. So I personally support the idea of saying, "We'll have fixed-date elections on a certain date. Every four years we'll have an election." I don't think that's a bad idea. But it is fraught with some problems, and I think we need to recognize and put that on the record.

The other issue is in regard to northern representation. I want to put on the record that I never thought we should have gone to federal boundaries in the first place. In all respect for my good friend Mr. Sterling—I don't remember the riding—I voted against that legislation, and I'm still opposed to it. The reality is that provincial members do things very differently, as far as the type of work they do, than federal members. Imagine arguing for a second that municipalities should be the size of provincial ridings. It wouldn't make any sense, because the reality is that municipalities have a different set of things that they need to give to their constituents. We have a system where a municipality, be it Jogues or Opasatika or Timmins, has a mayor and X number of councillors to represent that community, and they make decisions. It's the same, I would argue, with provincial and federal members. I don't think we should have the same ridings. I just recognize that the work that we do is different.

1840

I speak with some authority. I'm the only member in this assembly who is co-located with a federal member. I share a constituency office with my federal member, Charlie Angus, who is also a New Democrat, and we work together all the time. We're on the phone almost every day talking about issues back and forth, and there has been some real benefit to that for both our constituents and ourselves. But I've got to tell you, the work that Charlie Angus does and the work that I do are quite different. We don't do the same type of work. I am busier, for example, on the health care side because health is a provincial responsibility. I'm a lot busier on the education side because it's a provincial responsibility. There's a lot of work that needs to be done in those particular areas because they happen to be issues of provincial responsibility. He does more work on the side of issues around First Nations than I do; he does a lot of work in regard to federal unemployment insurance and passports and immigration. Those are clearly things on the federal side.

My point is that case levels are not the same. We don't get an equal amount of work, if 100 people walk in the door or make a phone call. After about a year of us being set up—at first there was a lot because there was a lot of expectation. We probably get more work provincially

than my federal counterpart would get federally. I would argue that's one of the reasons we have to have smaller ridings. For example, the riding that I currently represent, Timmins—James Bay, used to be two ridings and should return to that. It would make far more sense because there are three different ridings in my constituency: there's the city of Timmins; there's the Highway 11 group, which is a community unto itself, the majority French-speaking, mostly rural, smaller communities; then there's the James Bay, which is 99% First Nations. So there are very different parts of the riding, and I would argue you can probably divide my riding into two and it will do quite fine.

I will vote in favour of this legislation because at least it protects the 11 ridings that we have now. If we had gone with the federal boundaries, we would have gone from 11 to nine. Let me just give you a bit of a sense of what that means for me. I have a riding that's now larger than France. I'm French-speaking, I'm a francophone, I love France, I've been to Paris, to Nice, all those wonderful places, but my riding is the size of France. Most of my riding doesn't have roads. If we had gone the way of the federal boundaries, my riding would have got even bigger. It's hard enough to handle now, without it having to get bigger.

From the perspective of the constituents—and this is really what it's all about—they're opposed entirely to following the federal boundaries. I'll give you a good example. The northern part of my riding, on Highway 11, is represented by a Liberal by the name of Brent St. Denis. His riding is Algoma-Manitoulin-Kapuskasing. Tell me if that makes any sense. If you take out a map of Ontario, he represents Manitoulin Island, the town of Elliot Lake, and everything in between is not his riding, but it ends up being Kapuskasing, Hearst, down to Smooth Rock Falls. So for him to go from where he lives in Elliot Lake up to the northern part of his riding, he has to drive around by way of White River or he has to come back around by way of Sudbury, through the city of Timmins, all of which is not in his riding, to get to the northern part of his constituency. People on Highway 11 have been from the very beginning opposed to this new federal boundary because they say here's the problem: Mr. St. Denis may be a nice guy, but if Carol Hughes wins the riding, which I hope—she's the candidate I'm backing as a New Democrat; she's also a great person—but depending on where the candidate lives, where the incumbent lives, is going to determine how much service people get.

Let's be real. If I happen to live in Kapuskasing, obviously I'm going to be around Kapuskasing more often, so it'll be easier for people from Hearst, Smooth Rock Falls and Constance Lake and everywhere in between to meet with the local MP or MPP. But if the person lives in Kapuskasing and is trying to service Elliot Lake and Manitoulin Island, you can't go there every weekend. It's a riding that makes absolutely no sense. People feel very alienated with the federal boundaries.

I have real experience in my constituency where people who are now in this new riding where Timmins—

James Bay is—Timmins and everything north up to Hudson Bay, from the Quebec border up to Lake Nipigon—pretty easy to understand, pretty big too, but Timmins—James Bay federally is James Bay, nothing in between until you get to Timmins, then everything south of Timmins. It just doesn't make any sense. So from the perspective of the constituents we represent, they're opposed to the federal boundaries. They think it's not a good idea. They think it means it's harder for them to access their elected representatives, and on that basis they've asked me, as their representative, to vote in favour of this legislation, something which I will do.

My last point is this, and I want to put this on the record because I don't want people to think I only talk about this stuff amongst members, and that is the ability for members to service a riding like this. Currently, we have a system that gives all members a global budget to do the work for their constituency—hire staff, have constituency offices etc.

In my riding there's the city of Timmins, which has about 50,000 people. Then you go up the highway, and you've got a number of communities which are serviced by an office out of Kapuskasing. Basically, that means I've got two full-time constituency offices, with staff in both. But all of those communities in between you've got to service by way of clinics, so we have clinic offices in Smooth Rock Falls, Hearst and Constance Lake. That means to say that you have to have staff going to all of those communities on a weekly basis in order to pick up birth certificate applications, worker's compensation records—whatever it is that we might do. Then there's the James Bay part of my riding, which doesn't even have roads. You can't drive from Moosonee to Attawapiskat, except for a winter road that's available for about two months a year.

I was just in Moose Factory this last Thursday night for an event, a fundraiser for the people of Kashechewan, which was hosted by the Moose Cree First Nation. By the way, you should have been there; it was a gas. Stan Louttit, the grand chief, and myself were the auctioneers. We had them in stitches for two hours, but that's another debate.

The point is this: For me to get from Moosonee to Moose Factory—it's a river. So put this in mind: You can't take the chopper; the chopper has been taken out of service because it's very expensive. There happen to be a couple of inches on the river, so people are taking their skidoos across the river. The only way I could go see my constituents was to get a skidoo on the back of a trailer about two to three miles down the river, cross on about four inches of ice over a river that's about a mile wide, and then come back up the other side, up one of the channels where the ice is a little bit more safe. Those are the realities of the ridings that we represent.

Here's the kicker: I tried to get up there—because I'm a pilot, and everybody knows I fly my own plane. I can't go up Thursday morning because it's IFR, instrument flight rules; I'm only a VFR pilot. My good friend Norm

Miller is a pilot as well and has the same kind of rating as me. So I couldn't take my plane up.

Mr. Miller: You just push a button.

Mr. Bisson: Oh, I just push a button. I wish had an autopilot. I'm not that rich.

My point is this: I had to get to that event, and I had to get to the dialysis opening the following day, where the Honourable Minister George Smitherman was. The reality is, I couldn't take my plane because it was IFR conditions expected for two days. If you call Air Quebec in order to get a ticket—I could get there, but I couldn't get back till Sunday. So what do you do? You've got to charter an aircraft. It's \$3,000 to \$4,000 to get there, all of which I have to pay within my global budget.

I just make this point publicly here in the Legislature: I think these ridings need to have a certain amount of recognition as far as the challenges we face trying to service our constituents when going into communities like Peawanuck or Attawapiskat or Moose Factory. I shouldn't be in a position—oh, yes, people say, “Well, you get an extra \$20,000 a year because you're a northern riding.” I get \$5,000 more than the Speaker, that's what I get. He gets \$15,000 extra; I get \$20,000 extra. For \$5,000, I'm supposed to service a riding that has no roads.

I would only put on the record here, because I've been lobbying for this for a while, that there needs to be a recognition of going to the federal rules, where we can use some of our travel points as an offset for the travel we've got to do in our ridings. I shouldn't have to learn how to fly a plane and buy a plane to service my constituents. I did that; that's my choice. I'm losing money; that's fine. But there should be some kind of recognition, when we have to charter or take an aircraft, that we can charge those things outside of our global budget.

But that's not the reason I'm here. I'm here to say, Mr. Speaker—and you were very patient—I will vote in favour of this legislation. It's something that we've been wanting to have happen for a while. I'm sure that Andreanne Joly at Le Weekender, who I'm about to send an e-mail to, will be happy to know, because she's been watching this very closely and wanted to report on it. We should get to the vote.

The Deputy Speaker: Questions and comments? Further debate? Does any other member wish to speak?

Mr. Bradley has moved third reading of Bill 214. Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

I have been handed a request by the chief government whip that, pursuant to standing order 28(h), the vote for third reading of Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005, be deferred until deferred votes on December 13, 2005.

ROYAL ASSENT
SANCTION ROYALE

The Deputy Speaker (Mr. Bruce Crozier): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

The Deputy Clerk (Ms. Deborah Deller): The following are the titles of the bills to which His Honour did assent:

Bill 37, An Act to amend the Taxpayer Protection Act, 1999 in relation to municipalities / Projet de loi 37, Loi modifiant la Loi de 1999 sur la protection des contribuables en ce qui concerne les municipalités.

Bill 197, An Act to implement Budget measures / Projet de loi 197, Loi mettant en oeuvre certaines mesures budgétaires.

Bill 211, An Act to amend the Human Rights Code and certain other Acts to end mandatory retirement / Projet de loi 211, Loi modifiant le Code des droits de la personne et d'autres lois pour éliminer la retraite obligatoire.

The Deputy Speaker: Thank you to all members for your co-operation. This House is adjourned until Tuesday, December 13, at 1:30 of the clock.

The House adjourned at 1850.

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No. 33A



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**Legislative Assembly
of Ontario**

Second Session, 38th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 13 December 2005

Mardi 13 décembre 2005

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 13 December 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 13 décembre 2005

*The House met at 1330.
Prayers.*

ESTIMATES

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): Mr. Speaker, I have a message from the Honourable Lieutenant Governor, signed by his own hand.

The Speaker (Hon. Michael A. Brown): The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending March 31, 2006, and recommends them to the assembly.

MEMBERS' STATEMENTS

COMMONWEALTH GAMES

Mr. Frank Klees (Oak Ridges): The York 2014 bid committee hosted the delegation from the Canadian Commonwealth Games yesterday and showcased what York region has to offer the world as the site for the 2014 Commonwealth Games.

I want to congratulate bid chair and former games medalist Bill Crothers and the members of the bid committee for their dedication to this undertaking and for an outstanding presentation of York region as the preferred Canadian bid and ultimately the host site for the 2014 Commonwealth Games.

York region has a bid that can win internationally and, if chosen, I am confident that they can succeed in the final competition with Scotland and Nigeria to host the Commonwealth Games in 2014.

The 2014 games are much more than a 10-day competition for York region. In addition to hosting our friends and allies in this prestigious athletic competition, with all the benefits that ensue, they are also a catalyst for a real and better future. In addition to permanent world-class athletic facilities, these games will allow us to move ahead on our non-sports infrastructure projects, which provide long-term benefit for all York region residents and businesses.

I am very proud of the bid being put forward by York region. When successful as the Canadian site, I look forward to the unanimous consent of this Legislature to champion in every aspect the international bid to bring the 2014 Commonwealth Games to Canada and to York region.

BURLINGTON TEEN TOUR BAND

Mr. Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Holding fast to the best of our past while moving quickly to embrace the best of our future, I rise to salute the Burlington Teen Tour Band. Under the direction of Sir William Hughes, Her Majesty's personal musician, and Mr. Rob Bennett, the band manager, the band played earlier on the steps of the Legislature.

With the support of the city of Burlington and the Burlington Teen Tour Band Boosters, the band has been marching and performing in countless parades, halftime shows, concerts and movie shoots since their formation in 1947. On two recent occasions, the band traveled to Europe. In June 2004, they stood with our veterans on Juno Beach in celebration of the 60th anniversary of D-Day. Later, in May 2005, they proudly marched with our veterans in Apeldoorn to mark the 60th anniversary of the liberation of the Netherlands. What an inspiration: our veterans and our youth standing side by side, together commemorating a significant part of our history.

Special thanks to Minister Colle for today honouring the historic contributions of the Burlington Teen Tour Band. As the minister said, "The province of Ontario is proud to acknowledge the exceptional service performed by these young Ontarians and the community leaders who support them."

To these young ambassadors, this assembly would say thank you. You have made us very proud. With that, Mr. Speaker, I would like to introduce the finest marching band in Canada, the Burlington Teen Tour Band.

The Speaker (Hon. Michael A. Brown): This is probably out of order, but I was billeted with the Teen Tour Band in the late 1960s when I was with another band here in the province.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Cameron Jackson (Burlington): Community Living Ontario and its associations have been the largest deliverer of essential supports and services to children and adults with intellectual disabilities for more than 50 years. The Minister of Community and Social Services, however, continues to refuse to recognize and address the funding crisis being faced by Ontario's community living associations, a funding crisis that threatens to destabilize the province's entire developmental services sector.

The challenges they face are numerous: The salaries paid to community support workers remain about 25%

below those of other workers; staff turnover rates average 22%; and pay equity issues and significant wage disparities within the sector remain unaddressed. As such, college training programs for this sector are being cancelled due to a lack of interest from new recruits. As a result of this funding crisis, the service gap and waiting lists for accommodation services continue to grow.

The minister is mismanaging the deinstitutionalization agenda by destabilizing the very same associations that will be required to provide new and expanded community-based services for these clients. Rhetoric is the only thing she has increased. In fact, she has slowed down the multi-year capital plans from the previous government.

On behalf of Ontario's community living associations, I call on the McGuinty government to make a strong commitment to support community networks of services through a fully funded multi-year plan. Issues facing people with disabilities in Ontario are complex and require a focused, coordinated and fully funded response from the minister. The time for that response is now.

BRAMPTON HOSPITAL

Mrs. Linda Jeffrey (Brampton Centre): On Friday, December 9, I had the pleasure of attending, alongside colleagues, donors and dedicated hospital staff, a milestone in the construction of the newest hospital in the William Osler Health Centre family: the final concrete pour on the hospital structure at Bovaird Drive and Bramalea Road in Brampton. Under our government's leadership, construction on the state-of-the-art hospital began back in October 2004. It's one of the first green-field hospitals to be built in Canada and is located in one of the most diverse and growing regions in the country.

The new Brampton hospital at Bovaird Drive and Bramalea Road is the country's largest capital health care infrastructure project. It will have 608 beds and will accommodate 90,000 emergency patient visits, 160,000 ambulatory care visits and 110,000 outpatient visits annually. This new hospital will be an ultramodern facility with advanced medical equipment and will offer a comprehensive range of health services, including expanded cardiac and cancer programs, regional dialysis and neonatal care. It will be an open, accessible public hospital.

Construction of this new 1.2-million-square-foot hospital is scheduled for completion in July 2007. It is a signature project in my community and exemplifies our government's dedication to improving health care services and access for all Ontarians.

1340

TOBACCO INDUSTRY

Mr. Toby Barrett (Haldimand-Norfolk-Brant): Ontario's tobacco farmers have had their backs to the wall for several years; they've now read the writing on

the wall. The farmers, through their marketing board, are now on their knees, and they wish to give up growing tobacco. To that end, the tobacco board is requesting the Ontario government convene a forum of all parties to discuss their future immediately.

Quite simply, in today's environment it's impossible for farmers to continue in business. Stability and profitability are things of the past. Input costs continue to rise, margins continue to fall, and the pressure to lower the price of leaf is only intensifying. In the meantime, farmers realize that, upon exit, their specialized plant and equipment will be worthless.

Many countries around the world have included an adjustment program for tobacco farmers that provides a fair and equitable exit. Australia and the United States come to mind. Last spring, here in Ontario and in Quebec, the federal government put in place the tobacco adjustment assistance program to help a percentage of tobacco farmers leave the industry. At that time, as they do today, the tobacco board advocated that a more comprehensive and proactive solution was required. The solution is a full exit plan for all Ontario tobacco farmers. There is no turning back.

As I did in estimates in September, I ask the Minister of Agriculture to convene a forum allowing discussions to begin, a forum that includes both health and finance representatives. Let's fix this once and for all.

HYDRO RATES

Mr. Gilles Bisson (Timmins-James Bay): The winter season is upon us. We know that in northern Ontario, this very morning, most of our loved ones woke up to minus-30-degree weather. It reminds us that we're going to have to pay a lot more for energy this winter when it comes to heating our homes with heating oil or buying natural gas or, God behold, having to pay electricity prices. I just say to this government that it's going to be a tough winter when it comes to the ability to pay energy costs.

This government should do something in order to deal with an energy policy that at the end of the day looks at a couple of very basic issues: number one, why is the province of Ontario not looking at electricity in the way that it did for some 90 years, from the perspective of it being one of the economic development tools that helps to drive the economy of Ontario? When paper mills in northern Ontario or residents are able to buy electricity at a rate that is affordable, based on the cost of producing electricity, it means that everybody benefits. The individual who needs to heat their home is able to get the home heated when it's 30 below zero, or even 40 below zero in February, and industries such as pulp and paper, mining and others are able to buy electricity at a rate that makes sense for maintaining jobs and building the economy of Ontario.

When this government gets that through its mind, I think this province is going to be in a much better place. I

just say: minus 30 in northern Ontario this morning. I hope that doesn't mean we're going to see more of that, because people can't afford to pay the energy prices this government policy is driving up.

HIGH-OCCUPANCY VEHICLE LANES

Mr. Dave Levac (Brant): I'd like to report to the House today another initiative of the McGuinty government. We live in a hectic society, rushing here and there, and many of us have long distances to commute just to earn our livings. This lifestyle may contribute to the increasing number of cases of road rage we hear reported, and the reports of unimaginable, thoughtless driving stories we hear from the OPP on long weekends. This government has taken steps to assist commuters.

Today, the first HOV lanes opened, and I've already received reports about their effectiveness. One report is that up to 10 to 15 minutes were cut off a commute on the 403 from Hamilton to Mississauga. Cutting time and cutting stress must lead to safer roads.

I want to remind all those listening that all you need to do to use these HOV lanes is to have two people in the car, hop in the left lane and hit cruise control. The traffic will move, and no one will be cutting in and out. It's easy to do.

What I cannot understand is why, when the 407 was handed over to a private consortium after our tax dollars built it, there was no thought given to putting in an HOV lane. My understanding was that it was supposed to. I guess the government of the day thought more about trying to remove that deficit and the debt they ran up than making Ontario a better place to live.

I suggest that we investigate even further, and I want to thank the Minister of Transportation for making our lives a lot easier already.

AGRICULTURAL TRADE

Mr. Phil McNeely (Ottawa-Orléans): Ontario farms produce over 200 commodities and include 3,700 food processing companies. However, Ontario's agriculture sector is under stress, a direct result of the excesses of foreign agriculture subsidies and the resulting downward pressure on world commodity prices.

The massive overproduction promoted by US support programs has a proven negative impact on the world agricultural economy. That is why Ontario is not prepared to sacrifice regulated marketing structures used by dairy, poultry and egg producers. It is not simply that these farmers represent a significant contribution to a healthy rural economy and strong rural communities in Ontario, with 7,100 farms generating \$2.5 billion in farm gate receipts. The point is that these farmers, without receiving direct government subsidies, are able to overcome an uneven playing field and still ensure that Ontario consumers and food manufacturers receive the highest-

quality, safest food in the world at affordable and stable prices.

The Ontario Liberal government and all members of this House have urged the federal government to vigorously defend the interests of those sectors depending on supply management. A successful conclusion to the agricultural negotiations requires real constraints on US and EU support spending, which so brazenly distorts trade in agricultural goods worldwide, and must include sufficient flexibility to accommodate our supply-managed producers. We can settle for no less.

ÉQUIPES DE SANTÉ FAMILIALE

FAMILY HEALTH TEAMS

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell): Vendredi dernier, j'ai eu le grand honneur d'annoncer que le gouvernement McGuinty améliore les soins de santé à Clarence-Rockland grâce à la création d'une nouvelle équipe de santé familiale.

We are changing the way health care is delivered in Clarence-Rockland by making it more responsive to the needs of the residents of Clarence-Rockland. More residents will now have access to a family doctor and a health team.

L'équipe de santé familiale de Clarence-Rockland fait partie des 31 nouvelles équipes de santé familiale qui ont été approuvées par le gouvernement McGuinty. Il y a désormais 100 équipes de santé familiale en Ontario, et notre gouvernement a atteint les deux tiers de son objectif, qui est de créer 150 équipes d'ici 2007-2008.

Family health teams are designed around the needs of each community. They are made up of a team of health providers that provide comprehensive care around the clock, seven days a week.

Ces équipes de santé sont importantes dans toutes les communautés, mais jamais aussi importantes que dans les communautés telles que Clarence-Rockland. Les citoyens de cette communauté, comme bien d'autres communautés rurales, n'ont pas accès à un transport en commun comme les citoyens des grandes villes. Pour eux, avoir une équipe de santé familiale dans leur communauté vient remplir un grand besoin.

VISITORS

The Speaker (Hon. Michael A. Brown): The member for Davenport.

Applause.

Mr. Tony Ruprecht (Davenport): Thank you very much. I didn't start this.

We have some very distinguished guests in the east gallery. They are Donald Schultz and Ian McIsaac, the executive director and secretary of the Millwright Regional Council of Ontario.

The Speaker: That's not a point of order, but welcome, gentlemen.

INTRODUCTION OF BILLS

EDUCATION STATUTE LAW AMENDMENT ACT (LEARNING TO AGE 18), 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE L'ÉDUCATION (APPRENTISSAGE JUSQU'À L'ÂGE DE 18 ANS)

Mr. Kennedy moved first reading of the following bill:

Bill 52, An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act / Projet de loi 52, Loi modifiant la Loi sur l'éducation concernant l'apprentissage des élèves jusqu'à l'âge de 18 ans et l'apprentissage équivalent et apportant des modifications complémentaires au Code de la route.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Does the minister wish to make a statement?

Hon. Gerard Kennedy (Minister of Education): I will make a statement during ministerial statements.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has asked for unanimous consent to put forward a motion regarding private members' public business. Agreed? Agreed.

Hon. Mr. Bradley: I move that, notwithstanding order 96(g), notice for ballot item 16 be waived.

The Speaker: Mr. Bradley has moved that, notwithstanding standing order 96(g), notice for ballot item 16 be waived.

Is it the pleasure of the House that the motion carry? Carried.

COMMITTEE MEMBERSHIP

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I move that the following amendments be made to the membership of certain committees: On the standing committee on general government, Ms. Horwath replaces Ms. Churley; on the standing committee on government agencies, Mr. Bisson replaces Ms. Horwath; and on the standing committee on regu-

lations and private bills, Ms. Horwath replaces Ms. Churley.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has moved that the following amendments be made to the membership of certain committees: On the standing committee on general government, Ms. Horwath replaces Ms. Churley; on the standing committee on government agencies, Mr. Bisson replaces Ms. Horwath; on the standing committee on regulations and private bills, Ms. Horwath replaces Ms. Churley.

Is it the pleasure of the House that the motion carry? Carried.

COMMITTEE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I move that the following committees be authorized to meet during the winter adjournment, in accordance with meeting dates as determined by the respective subcommittees, to examine and inquire into the following matters:

The standing committee on finance and economic affairs to consider matters relating to pre-budget consultations, 2006; the standing committee on general government to consider Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act, upon its referral from the House; the standing committee on justice policy to consider Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act, upon its referral from the House; and the standing committee on social policy to consider Bill 36, An Act to provide for the integration of the local system for the delivery of health services; and that the committees be authorized to release their reports during the winter adjournment by depositing a copy of any report with the Clerk of the Assembly, and, upon the resumption of meetings of the House, the Chairs of such committees shall bring any reports before the House in accordance with the standing orders.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has moved that the following committees be authorized to meet during the winter adjournment.

Interjection.

The Speaker: Dispense? Dispensed. Is it the pleasure of the House that the motion carry? Carried.

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, a very special motion for the House—

Mr. Peter Kormos (Niagara Centre): Shame, shame, shame on the government.

Hon. Mr. Bradley: The member for Niagara Centre is anticipating, obviously, a motion.

I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, December 13, 2005, for the purpose of considering government business.

The Speaker: Mr. Bradley has moved government notice of motion 53. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it

Call in the members. This will be a five-minute bell.

The division bells rang from 1354 to 1359.

The Speaker: Order. Members take their seats.

All those in favour will rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Jeffrey, Linda	Peterson, Tim
Arthurs, Wayne	Kennedy, Gerard	Pupatello, Sandra
Balkissoon, Bas	Klees, Frank	Qaadri, Shafiq
Barrett, Toby	Kular, Kuldeep	Racco, Mario G.
Bentley, Christopher	Kwinter, Monte	Ramsay, David
Berardinetti, Lorenzo	Lalonde, Jean-Marc	Rinaldi, Lou
Bradley, James J.	Leal, Jeff	Runciman, Robert W.
Brotten, Laurel C.	Levac, Dave	Ruprecht, Tony
Brownell, Jim	Marsales, Judy	Sandals, Liz
Cansfield, Donna H.	Martiniuk, Gerry	Scott, Laurie
Caplan, David	Matthews, Deborah	Sergio, Mario
Chambers, Mary Anne V.	Mauro, Bill	Smith, Monique
Chudleigh, Ted	McMeekin, Ted	Tasca, Joseph N.
Colle, Mike	McNeely, Phil	Tory, John
Craitor, Kim	Meilleur, Madeleine	Van Bommel, Maria
Delaney, Bob	Miller, Norm	Watson, Jim
Dombrowsky, Leona	Milloy, John	Wilkinson, John
Duguid, Brad	Mitchell, Carol	Witmer, Elizabeth
Flynn, Kevin Daniel	Mossop, Jennifer F.	Wong, Tony C.
Gerretsen, John	Munro, Julia	Yakabuski, John
Gravelle, Michael	O'Toole, John	Zimmer, David
Hardeman, Ernie	Ouellette, Jerry J.	
Hoy, Pat	Peters, Steve	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles	Kormos, Peter	Murdoch, Bill
Horwath, Andrea	Marchese, Rosario	Prue, Michael

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 67; the nays are 6.

The Speaker: I declare the motion carried.

VISITORS

Hon. Gerard Kennedy (Minister of Education): On a point of order, Mr. Speaker, I rise to recognize some distinguished guests: Mrs. Billie Telford and Miss Annette Archibald from Australia, accompanied by Peter Telford, a guest of my office; and Father Edward Kennedy, who is distinguished in his own right, and not more so because he is my uncle.

Welcome.

The Speaker (Hon. Michael A. Brown): It's not a point of order, but welcome.

STATEMENTS BY THE MINISTRY AND RESPONSES

HIGH SCHOOL STUDENTS

ÉTUDIANTS DU SECONDAIRE

Hon. Gerard Kennedy (Minister of Education): I rise in the House today to talk about the government's commitment to all students in this province.

Through our student success strategy and the \$1.3-billion investment supporting it, we are giving our students the educational advantage they need to stay in school until the age of 18 and build a promising future for themselves and for all of Ontario. The McGuinty government is making up for the ground lost under the last government, which left so many students behind, and is going beyond to help high school students be offered clear and attractive outcomes.

In 2003, when we assumed office, the graduation rate in Ontario stood at an unacceptable 68%. At that time, I wrote as minister to Ontario high school students to inform them that help was not just on the way but underway. That year, we implemented the first phase of the student success strategy and helped our principals, teachers and education workers to raise the graduation rate last year to 71%.

The Premier and I have adopted a target so that Ontario will graduate 85% of its students by 2010. That means 90,000 more graduates in that time period and a reduction in the dropout rate by half. There is more at stake than ever for students to get a high school education that is high quality, meaningful and prepares them for a variety of post-secondary destinations.

With the introduction of the student success strategy's third phase today, Ontario students can keep learning to age 18 or graduation through creative incentives that recognize students' individual potential. In addition, this government will provide unique enforcement to prevent students from dropping out.

Il est plus important que jamais que les élèves suivent des études secondaires qui soient de bonne qualité et intéressantes et qui les préparent à diverses destinations postsecondaires.

Grâce à l'introduction de la troisième phase de la stratégie visant la réussite des élèves, les élèves de la province pourront continuer à apprendre jusqu'à l'âge de 18 ans et/ou jusqu'à l'obtention de leur diplôme, grâce à ces incitatifs créatifs permettant aux élèves de réaliser leur potentiel individuel. Par ailleurs, notre gouvernement introduira des mesures d'exécution uniques pour éviter que les élèves ne décrochent.

Today, I'm pleased to share with my honourable colleagues how our government is helping high school students to succeed.

The McGuinty government respects our students. We believe every student should be able to go as far as his or her potential will take them. To provide a better learning environment for all students, we are customizing high school to give every student an Ontario education advantage.

If passed, the Learning to 18 legislation would mandate that all school boards make the government's comprehensive student success programs available to students. The bill would also increase the school leaving age to 18, or until graduation, by keeping students learning either in classrooms or in approved out-of-school programs, including apprenticeships or co-operative education.

In addition, the proposed legislation would provide enforcement policies with more effective and practical measures tied to students' drivers' licences and would create hard links between high schools and post-secondary destinations to allow external learning to be recognized for high school credits.

The bill would also propose enforcement measures intended as a backstop to important student success programs and to send a strong signal that we are taking responsibility for student achievement.

Drivers under the age of 18 who are unable to prove their regular attendance at school or in a recognized learning program could be denied a driver's licence or, if convicted of habitual absence, may have it suspended.

This proposed Learning to 18 legislation would set the ground rules for the government's student success strategy.

Last Thursday, the Premier and I announced students will be able to acquire a specialist high-skills major as part of a regular high school diploma by completing courses in specific areas such as arts, business, information technology, construction and manufacturing.

Co-operative education choices are being expanded by building partnerships with business and community organizations. New dual credit programs will be available to students so they can earn several credits toward their diplomas through co-operation with colleges, apprenticeships and university courses.

There will be a new coordinated effort and formal links with high school education and post-secondary education to make the transition seamless for students.

These new initiatives reinforce some of the actions already taken by the McGuinty government to help students take back control of their education and their future.

There have been revisions to the grades 9 and 10 applied math curriculum.

Over 300,000 students have benefited from a \$45-million investment in technological education that has helped to start over 200 new courses, including hospitality and health care, and over 500 upgrades to current programs, including robotics and community technology.

There is a student success leader now in every school board, and 1,300 new or designated high school teachers,

including 800 student success teachers, in Ontario schools.

Six nouveaux cours obligatoires, élaborés à l'échelon local, ont été créés pour offrir un plus grand choix aux élèves de 9^e et de 10^e année.

It has been 50 years since Ontario updated the high school leaving age requirement. It is time that our 21st century high schools provide the kinds of programs that are relevant to students today and that support parents' ambitions for their children.

In closing, I want to thank the members of our ministry, the education sector and my office who prepared what I believe is a significant step forward to the future for Ontario students and Ontario as a province as a whole.

ENTENTE ADDITIONNELLE À L'ANNEXE DE LA CHARTE DES GRANDS LACS

GREAT LAKES CHARTER ANNEX AGREEMENT

L'hon. David Ramsay (ministre des Richesses naturelles, ministre délégué aux Affaires autochtones): Je suis heureux et fier de prendre la parole dans la Chambre pour informer les députés qu'aujourd'hui le premier ministre McGuinty va signer à Milwaukee une entente historique concernant la protection des eaux du bassin des Grands Lacs et du Saint-Laurent.

I am pleased and proud to stand in the House today to inform the members that today in Milwaukee, Premier McGuinty will be signing an historic agreement with the province of Quebec and the eight Great Lakes states that will strengthen protection for the waters of the Great Lakes and the St. Lawrence River basin. At the same meeting, the eight Great Lakes states will be signing a binding compact among themselves with similar terms.

The two agreements provide a framework for each province and state to pass laws that put in place new safeguards for our shared waters. By setting a high environmental standard across the basin and overseeing water uses, these agreements will help each jurisdiction build a stronger, healthier and more prosperous future for its citizens, its environment and its economy.

1410

The negotiations leading to today's signing were challenging and often arduous, and thanks to the hard work of all parties, we have come to an agreement that incorporates the needs of each jurisdiction.

I would like to take this opportunity to acknowledge Ontario's negotiating team for their hard work and dedication to achieving ratification of this agreement. The team include: ADMs Kevin Wilson and David de Launay, Rob Messervey, Leith Hunter, Paula Thompson, Danielle Dumoulin, Emily Chatten, Pearl McKeen and Bill Carr. Many of those who aren't in Milwaukee are

here with us today, and I'd ask them to stand and be known.

Ontario, which already has in place some of the most rigorous regulations to protect the basin waters, fought hard to raise the bar during these sometimes difficult negotiations. Throughout this lengthy process, we listened carefully to our stakeholders, First Nations and the public, and the advice of our annex advisory panel was also instrumental to us in our pursuit of stronger agreements. We did not back down in what we knew was the most important thing to Ontarians.

Nous avons réclamé et obtenu une interdiction presque complète de détourner l'eau.

We insisted on, and achieved, a virtual ban on diversions. We also achieved a stronger commitment to water conservation, an increased role for science in decision-making and a new commitment enabling dialogue and input of First Nations.

As the guardian of Ontario's water, the McGuinty government is acutely aware of the water challenges we face.

Nous sommes fiers que les lois de l'Ontario respectent ou surpassent déjà la plupart des exigences des ententes maintenant en oeuvre, l'annexe de la Charte.

We are proud that Ontario's laws already meet or exceed most of the requirements of the charter annex agreement. We have in place strict laws banning water diversions out of the province's three major water basins: the Great Lakes-St. Lawrence River basin, the Hudson Bay basin and the Nelson River basin. We regulate water withdrawals and have brought in stronger measures to protect natural ecosystems. We will remain diligent in protecting Ontario's interest in the waters of the Great Lakes-St. Lawrence River basin and every water system across this province.

L'entente d'aujourd'hui constitue une prochaine étape importante et force de reconnaître que ce n'est pas fait du jour au lendemain.

Today's agreement is an important next step on what has been a very long journey. This journey does not end with today: Safeguarding the waters of the Great Lakes-St. Lawrence River basin in the face of ever-increasing outside pressures will remain an ongoing challenge for each of our jurisdictions.

With this historic agreement in hand, however, each of the Great Lakes provinces and states will be better prepared to meet that challenge together and to protect our shared interest in the long-term health of these important waters.

NATIVE PROGRAMS AND SERVICES

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I'm pleased to rise in the House today to inform members about a new program our government has established for aboriginal youth in partnership with the Ontario Federation of Indian Friendship Centres.

Yesterday I had the pleasure of visiting the N'Swakamok native friendship centre in Sudbury to announce the new program, along with my colleague David Ramsay, Minister of Natural Resources and minister responsible for native affairs. The program is called Akwe:go. It means "everybody," "all" or "all of us" in Mohawk, and will be delivered by the federation through the N'Swakamok native friendship centre and 26 other Indian friendship centres across the province.

This is part of our government's approach to aboriginal affairs, an approach based on co-operation and mutual respect and the importance of empowering and supporting community-based and community-led solutions. Akwe:go will provide aboriginal children, ages seven to 12, with culturally based programs and services including health resources, one-on-one counselling and after-school programs.

Our government will invest just over \$2 million each year in this new program. By working with the aboriginal community in this way, we will be enabling them to deliver programs that they have said they need to strengthen their communities, and in ways that respect their cultural traditions.

Our goal is to ensure that aboriginal children, and indeed all of Ontario's children, have the support they need in order to be successful.

Aboriginal children and youth represent the fastest-growing segment of Ontario's population, but they face significant and multiple challenges to healthy development. Our government is eager to support the aboriginal community as they work hard to deliver supports and programs that will provide hope for their kids.

With Akwe:go, friendship centres will provide social supports to address self-esteem issues and help prevent unhealthy behaviours; reach out to children in the care of non-native adoptive and foster parents to increase culturally appropriate supports and services; promote healthy development; provide early intervention and alternatives to the youth justice system; and support children suffering from fetal alcohol syndrome disorder, who consequently face additional challenges.

The Akwe:go program is the first of its kind in Ontario since 1995. It seems the government of that day decided such programs were not important. I'm proud that our government has chosen to be a partner in providing that type of support so that together we can address a critical gap in services for aboriginal children.

Yesterday at N'Swakamok Friendship Centre in Sudbury, I met dozens of aboriginal people who are committed to the success of children and the prosperity of their community. It is their dedication and the dedication of countless others like them across the province that brought the Akwe:go program to life.

The word "Akwe:go" embodies the spirit of this new program for aboriginal children and youth; it also embodies the spirit of Ontario's commitment to help improve the lives of all our children and youth.

ACCESSIBILITY FOR THE DISABLED

ACCESSIBILITÉ POUR
LES PERSONNES HANDICAPÉES

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I rise in the House today to announce a major step forward in the quest to improve accessibility throughout Ontario. Today it's my pleasure to announce the appointment of a provincial advisory body that will move us along our government's agenda to improve accessibility throughout the province.

Our government and every member of this House made a deep commitment to improve accessibility for everyone with a disability in Ontario when we passed the historic accessibility for Ontarians with disabilities legislation this year. The passage of the AODA sent a strong statement to all Ontarians that we're embarking upon a new era of accessibility in Ontario, that we'll work together to improve accessibility for people with disabilities in all walks of life. This legislation will stand as a legacy for all Ontarians, a legacy of accessible opportunity that's open to all of our citizens.

Nous avons l'intention de transformer l'Ontario en une société accessible pour toutes les personnes handicapées, car nous estimons que toutes les Ontariennes et tous les Ontariens devraient avoir l'occasion d'apprendre, de travailler, de se divertir et de participer de toute autre façon à la vie de la société et en réalisant leur plein potentiel.

Notre nouveau Conseil consultatif des normes d'accessibilité symbolise l'esprit de la Loi sur l'accessibilité pour les personnes handicapées de l'Ontario, notre quête vers un Ontario vraiment accessible.

When we first envisioned the Accessibility Standards Advisory Council, we knew that we wanted leaders from the disability community and strong involvement by the private sector. The majority of members of our council are people with disabilities. This is important because we have such a wealth of talent in the disability community, people who stood by us as we developed the law, people who believe in the law and are committed with us to make it real. Together, our council represents a cross-section of business, public sector organizations and people with disabilities from all walks of life. I'm confident that we've selected a strong team of individuals who will help to shape our accessibility efforts in the years to come.

The council has a clear mandate. It will provide strategic advice to help guide Ontario as the province moves to achieve our government's vision of an accessible society over the next 20 years. More specifically, the council will advise me on the development of accessibility standards and on specific sectors and general public education programs to support the effective implementation of the AODA.

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Our government believes that people with disabilities should be able to fully participate in the social and eco-

nomie life of our province, and our Accessibility Standards Advisory Council will help make sure we do it right. I'm confident we've chosen men and women for our council who will work to improve our work environments, our business operations, our buildings and our transportation systems.

Our council will be chaired by none other than David Onley. As many of you know, David is a veteran journalist with Citytv and has a long history of volunteer work and advocacy on behalf of people with disabilities. David was inducted into the Terry Fox Hall of Fame in 1997 for his ongoing contributions to advance the causes of people with physical disabilities. In 1996, Toronto's Clarke Institute presented him with the Courage to Come Back Award, and in 2003 he received an honorary doctorate from the Canadian Christian College.

David will be joined by vice-chair Tracy MacCharles from Pickering. Welcome, Tracy. Tracy was a member of the former Accessibility Advisory Council of Ontario, and has a strong background in employment equity for people with disabilities.

Members of our council include David Borthwick of Oakville—welcome, David—Robert Bailey of Amherstburg, Tyler Campbell of Sudbury, Uzma Khan of Mississauga, Dean LaBute of Windsor, Richard McGee of Kawartha Lakes, Mike Murphy of Kingston, Judith Parisien of Alfred, Jutta Treviranus of Toronto, Jeff Willbond of Ottawa, and Dr. Katherine Woodcock of Toronto.

I ask this House to recognize the members of the Accessibility Standards Advisory Council of Ontario. Welcome.

It's going to take everyone's commitment—people with disabilities, businesses, government—to build a barrier-free society. Our new Accessibility Standards Advisory Council will guide the way, helping us create a more prosperous Ontario for all our citizens, an Ontario that benefits from the contributions of all its citizens. I believe we're well on our way to getting there.

The Speaker (Hon. Michael A. Brown): Responses?

HIGH SCHOOL STUDENTS

Mr. Frank Klees (Oak Ridges): Forgive me for being cynical about the education minister's grand announcement today that threatens students under the age of 18 with being stripped of their driver's licence and imposes fines of up to \$1,000 on students and parents for truancy or dropping out of school.

This education minister developing this hare-brained idea, and no doubt he'll find the money to fund a system of enforcing the stripping of driver's licences and fines, is the same education minister who cannot find the resources or the time to provide the necessary supports to autistic children in this province who need to learn, who deserve to have the support network in place, and whose parents want them to have that opportunity. This is the same minister who comes forward to this House with this idea that is so counter-productive, that will never work,

that will never be enforceable, that is absolutely impractical, and he has turned his back on autistic children, refuses to meet their needs, and in fact is challenging a court order that orders him to supply education services to these children. It's a shameful day in this Legislature.

GREAT LAKES CHARTER ANNEX AGREEMENT

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to respond to the Minister of Natural Resources' announcement of the Great Lakes-St. Lawrence river basin sustainable water resources agreement. This is good news. It builds on the work of the past government, the 2001 Great Lakes Charter Annex agreements. I know the minister recognizes the importance of the water in the Great Lakes. He's out there in his sailboat from time to time. I also note that all the communities around the Great Lakes recognize just how important water is to us.

Here today in the Legislature we have John Beaucage, who is the grand council chief of the Anishinabek Nation, and comes from Wasauksing First Nation, right by Parry Sound. Certainly, he is one who recognizes just how important the water is to all of us.

I'm pleased to see this announcement being made today. It's building on the work that was done by the past government, and we look forward to it being enforced by all those parties involved.

ACCESSIBILITY FOR THE DISABLED

Mr. Gerry Martiniuk (Cambridge): On behalf of John Tory and the Progressive Conservative caucus, I congratulate David Onley, chair, Tracy MacCharles, vice-chair, and each member of the Accessibility Standards Advisory Council of Ontario. We wish them well in their deliberations on behalf of Ontarians with disabilities.

NATIVE PROGRAMS AND SERVICES

Mrs. Julia Munro (York North): I'm pleased to respond to the Minister of Children and Youth Services and her announcement today. We recognize, speaking on behalf of John Tory and the Progressive Conservative caucus, that this is good news for urban aboriginal families, but let me clarify the record of our previous government on aboriginal children and youth.

The aboriginal healing and wellness strategy, initiated in 1994-95, created over 250 community-based health and healing programs, including a network of 12 aboriginal health access shelters, 10 healing lodges, nine family shelters and a host of other initiatives that were all designed to support that, including \$7 million toward the Healthy Babies, Healthy Children program. I want to congratulate the minister on today's announcement, but recognize that it falls within a tradition of support.

Finally, I'd like to recognize the many representatives of the aboriginal communities across the province who

are here today for Bill 210. I would certainly just say that it is my hope that their concerns will be met and will be adequately addressed through the public hearing process.

ACCESSIBILITY FOR THE DISABLED

Mr. Rosario Marchese (Trinity–Spadina): To Minister Papatello: While the accessibility for Ontarians with disabilities bill improves on the former Conservative bill, it's hardly historic. A bill that takes 20 years to implement in my view is hardly historic. And while I wish the new advisory board the best of luck with the implementation of this bill, the provincial advisory body that cannot initiate meetings on its own, except when it's called upon by the minister, is hardly historic. God bless you. I wish you all the best.

HIGH SCHOOL STUDENTS

Mr. Rosario Marchese (Trinity–Spadina): To the Minister of Education, I want to say that what they have done is an illusion, by way of forcing students to stay in the schools to age 18. It's only an illusion, because in effect it does so little. When you look at other jurisdictions in Canada and the US, the improvements have been marginal at best, and so it proves that this kind of bill doesn't work. Besides, a law like this cannot mandate good programs. It punishes students who for one reason or another cannot stay or do not wish to stay in the school system, so it imposes additional barriers rather than giving opportunities to students.

Boards will now be mandated to provide programs. There was no mention of money. We know that the programs do not exist in the schools, and if they do not exist in the schools, they cannot be bundled. We also know that there are no qualified specialist teachers to provide these kinds of programs. It's a failure, because a program that has no money attached to it cannot succeed. As well, it does not give the boards the supports they need by way of ESL programs, by way of youth workers who can help students stay in the school system, by way of guidance teachers and by way of educational assistants.

This bill is an attempt to convince parents out there that the government is doing something, but wherever it's been implemented, it has failed. There are absolutely no resources—

Interjections.

Mr. Marchese: You shrug. It has failed, and there are no resources to allow the boards that are going to be forced to do this to provide the programs that will reach any level of success. It's a failure.

1430

NATIVE PROGRAMS AND SERVICES

Mr. Gilles Bisson (Timmins–James Bay): To the Minister of Children and Youth Services on her announcement on the Akwe:go initiative: To equate this

program as part of the new approach to aboriginal affairs on the part of the Dalton McGuinty government I think doesn't bode well for First Nations.

I have a letter here from Nishnawbe Aski Nation, signed by Deputy Grand Chief Alvin Fiddler, that talks about Bill 36, the Local Health System Integration Act. I just want to read a small quote: "In spite of the government-to-government relationship that should apply in dealings between First Nations and the province, First Nations were not consulted in the development of the legislation.... Given this history, it is not surprising that Bill 36 all but ignores First Nations."

I have another letter here from another chief, in this case from Grand Council Chief John Beaucage from the Anishinabek Nation, that says the following: "In spite of the so-called 'new relationship' and the promise of a true government-to-government relationship between First Nations and the province, our member First Nations were not consulted in the development of the legislation.... This does not bode well for this so-called 'new relationship'" called on by the Dalton McGuinty government.

From the Metis association, in meeting with the leadership there, they say the same things about this government when it comes to responding to their needs. Nothing is being done and the relationship doesn't mean a lot.

GREAT LAKES CHARTER ANNEX AGREEMENT

Mr. Michael Prue (Beaches–East York): To Minister Ramsay: I would gladly be persuaded again, except that the regional reviews are non-binding, so if provinces like Ontario and Quebec, alone or together, representing 20 million people, come out and disagree with water diversion and the US states want to, they can go about it unilaterally. That is the problem with the agreement, because we know how the Americans act on softwood lumber, we know how they act on shakes and shingles, we know how they act all the time. This is permission for them to act unilaterally again.

I also want to say that we are very disappointed to see that there is a 10-year implementation time for the United States. Ten years from now, we'll still be talking to them and they still won't have gone along with what they said they were going to do. It should have been tightened; it should have been now or, at the most, next year. Ten years is definitely too long to wait for this to happen. We in Canada know full well what the Americans are capable of.

VISITORS

Ms. Monique M. Smith (Nipissing): On a point of order, Mr. Speaker: I'd like to invite the members of the Legislature to join me in welcoming Grand Chief John Beaucage of the Anishinabek Nation and the Union of Ontario Indians—

Mr. Gilles Bisson (Timmins–James Bay): Oh, he's here.

Ms. Smith: He is here, Gilles—as well as Bob Goulais and the health adviser of the Anishinabek Nation.

The Speaker (Hon. Michael A. Brown): That is not a point of order, but welcome, gentlemen.

DEFERRED VOTES

ENERGY CONSERVATION RESPONSIBILITY ACT, 2005

LOI DE 2005 SUR LA RESPONSABILITÉ EN MATIÈRE DE CONSERVATION DE L'ÉNERGIE

Deferred vote on the motion for second reading of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act / Projet de loi 21, Loi édictant la Loi de 2005 sur le leadership en matière de conservation de l'énergie et apportant des modifications à la Loi de 1998 sur l'électricité, à la Loi de 1998 sur la Commission de l'énergie de l'Ontario et à la Loi sur les offices de protection de la nature.

The Speaker (Hon. Michael A. Brown): Call in the members. This will be a five-minute bell.

The division bells rang from 1433 to 1438.

The Speaker: Members take their seats, please.

All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Gerretsen, John	Mossop, Jennifer F.
Balkissoon, Bas	Gravelle, Michael	Patten, Richard
Bartolucci, Rick	Hoy, Pat	Peters, Steve
Bentley, Christopher	Jeffrey, Linda	Phillips, Gerry
Berardinetti, Lorenzo	Kennedy, Gerard	Pupatello, Sandra
Bradley, James J.	Kular, Kuldip	Racco, Mario G.
Brownell, Jim	Kwinter, Monte	Ramal, Khalil
Bryant, Michael	Lalonde, Jean-Marc	Ramsay, David
Cansfield, Donna H.	Leal, Jeff	Rinaldi, Lou
Caplan, David	Levac, Dave	Ruprecht, Tony
Chambers, Mary Anne V.	Marsales, Judy	Sandals, Liz
Colle, Mike	Matthews, Deborah	Sergio, Mario
Cordiano, Joseph	Mauro, Bill	Smith, Monique
Craiton, Kim	McMeekin, Ted	Takhar, Harinder S.
Delaney, Bob	McNeely, Phil	Van Bommel, Maria
Dombrowsky, Leona	Meilleur, Madeleine	Watson, Jim
Duguid, Brad	Milloy, John	Wilkinson, John
Flynn, Kevin Daniel	Mitchell, Carol	Zimmer, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Arnott, Ted	Kormos, Peter	Runciman, Robert W.
Barrett, Toby	Marchese, Rosario	Scott, Laurie
Bisson, Gilles	Martiniuk, Gerry	Sterling, Norman W.
Chudleigh, Ted	Miller, Norm	Tascona, Joseph N.
Hampton, Howard	Munro, Julia	Tory, John
Hardeman, Ernie	Murdoch, Bill	Witmer, Elizabeth
Horwath, Andrea	O'Toole, John	Yakabuski, John
Jackson, Cameron	Ouellette, Jerry J.	
Klees, Frank	Prue, Michael	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 54; the nays are 25.

The Speaker: I declare the motion carried.
Shall the bill be ordered for third reading?

Hon. Donna H. Cansfield (Minister of Energy): I request that the bill be referred to the justice policy committee.

The Speaker: The bill will be ordered to the justice committee.

ELECTION STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉLECTIONS

Deferred vote on the motion for third reading of Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005 / Projet de loi 214, Loi modifiant la Loi électorale, la Loi sur le financement des élections et la Loi sur l'Assemblée législative, abrogeant la Loi de 1996 sur la représentation électorale et édictant la Loi de 2005 sur la représentation électorale.

The Speaker (Hon. Michael A. Brown): Call in the members. This will be a five-minute bell.

The division bells rang from 1443 to 1448.

The Speaker: All those in favour will please rise.

Ayes

Arthurs, Wayne	Gravelle, Michael	Mossop, Jennifer F.
Balkissoon, Bas	Hampton, Howard	Patten, Richard
Bartolucci, Rick	Horwath, Andrea	Peters, Steve
Bentley, Christopher	Hoy, Pat	Peterson, Tim
Berardinetti, Lorenzo	Jeffrey, Linda	Phillips, Gerry
Bisson, Gilles	Kennedy, Gerard	Prue, Michael
Bradley, James J.	Kular, Kuldip	Pupatello, Sandra
Brownell, Jim	Kwinter, Monte	Racco, Mario G.
Bryant, Michael	Lalonde, Jean-Marc	Ramal, Khalil
Cansfield, Donna H.	Leal, Jeff	Ramsay, David
Caplan, David	Levac, Dave	Rinaldi, Lou
Chambers, Mary Anne V.	Marchese, Rosario	Ruprecht, Tony
Colle, Mike	Marsales, Judy	Sandals, Liz
Cordiano, Joseph	Matthews, Deborah	Sergio, Mario
Craitor, Kim	Mauro, Bill	Smith, Monique
Delaney, Bob	McMeekin, Ted	Takhar, Harinder S.
Dombrowsky, Leona	McNeely, Phil	Van Bommel, Maria
Duguid, Brad	Meilleur, Madeleine	Watson, Jim
Flynn, Kevin Daniel	Milloy, John	Wilkinson, John
Gerretsen, John	Mitchell, Carol	Zimmer, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Amott, Ted	Miller, Norm	Sterling, Norman W.
Barrett, Toby	Munro, Julia	Tascona, Joseph N.
Chudleigh, Ted	Murdoch, Bill	Tory, John
Hardeman, Ernie	O'Toole, John	Witmer, Elizabeth
Jackson, Cameron	Ouellette, Jerry J.	Yakabuski, John
Klees, Frank	Runciman, Robert W.	
Martiniuk, Gerry	Scott, Laurie	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 60; the nays are 19.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

VISITORS

Mr. Peter Kormos (Niagara Centre): On a point of order, Mr. Speaker: I want the House to join me in welcoming Agi Mete and his grade 12 law class from Notre Dame school in Welland.

The Speaker (Hon. Michael A. Brown): Welcome. That of course is not a point of order.

ORAL QUESTIONS

CRIME PREVENTION

Mr. John Tory (Leader of the Opposition): My question is for the Minister of Community Safety. As you know, we released the Ontario Progressive Conservative Time for Action report yesterday, the end result of over a year of consultation with community leaders, police and victims of crime and their families.

One of the key recommendations of the report calls for the appointment of an Ontario crime reduction commissioner to better coordinate the crime-fighting activities of various police forces, government ministries, different levels of government, people at the border, court administration and others province-wide—a real focal point to fighting crime. Are you willing to take a serious look at this step, which is relatively straightforward to take and which I think could produce very big dividends in the fight against crime?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I find it interesting that the leader of the official opposition characterizes this as rather straightforward. If you understand how policing works in Ontario, you should know that there is a joint forces operation. It's manned by the RCMP, the OPP, and the municipal police services of Toronto, Durham, Peel, York, and Halton.

What you're really talking about is that you have no confidence in policing in Ontario. If that's what you're saying, why don't you stand up and say that?

Mr. Tory: Of course, I'm saying no such thing. What I'm saying is that we should look at putting someone in who can be a focal point and a rallying point around which the public can see the efforts of groups like this and other groups that need coordination in the fight against crime. But that's fine. You were dismissive of lots of the recommendations in the report yesterday. You said, "These are just things, if you think through them, they just don't make any sense." We heard from a lot of people in the community who said it absolutely does make sense to get badly needed police officers on the street a lot faster than you are doing it under your plan.

The Ontario Police College has seen their enrolment decrease by 19% on your watch. They have 897 intakes for 2005, but full capacity would be 1,400. I'm asking you this question: Are you prepared to make sure that there is nothing holding back full capacity for 2005-06 and that they have all the resources they need to accelerate the training of these officers so they can be on the streets in 2006, not 2007 as you plan, because we need them now?

Hon. Mr. Kwinter: Again, the leader of the official opposition has no idea what he's talking about. Let me give you an example of what happens. The capacity at the Ontario Police College is 1,440. It is 1,440—1995, 1996; it doesn't matter what year it is, that is their capacity. The only thing that impacts on the number is the number of recruits that are sent there by police services. Some years they don't hire as many and they don't have to train them; other years they do hire them. It's cyclical. Right now, because of our 1,000 officers program, we are going to be providing, through the next two years, all the recruits we need to fulfill that commitment. It really has nothing to do with their numbers. Those numbers are not the issue of the Ontario Police College. They have the capacity as long as they are sent those officers by municipal police forces in Ontario.

Mr. Tory: I'm assuming, therefore, after all those words, that the answer to the question is yes.

Another measure in the report proposes a positive incentive to help kids stay in school: namely, a modest scholarship such as the one used successfully by organizations like Pathways to Education, as opposed to a kind of threat to fine people who don't have any money \$1,000 if they drop out of school.

Will the minister undertake to carefully consider the idea of an expanded scholarship program along the lines of what Pathways to Education uses, jointly funded, as we proposed, by the federal and provincial governments to encourage kids to stay in school through to the end of grade 12? Will you consider that very reasonable and well-established recommendation that has worked elsewhere?

Hon. Mr. Kwinter: I have no idea why that question is directed to me. I have nothing to do with the education portfolio. I refer that to the Minister of Education.

Hon. Gerard Kennedy (Minister of Education): I don't want this to sound like a series, but again the member opposite hasn't done his research. In fact, we support Pathways to Education. We specifically are supporting it over a multi-year period to expand that program to other sites in Toronto and around the province. We say also that we've put \$18 million this year into special projects just like it to provide for incentives and other means to make sure that things happen. We have put 2,000 new teachers in school, 800 of which are student success teachers focused on creating programs to ensure that both the community and the school at large are doing whatever they can to deal with at-risk students—to notice them, to make sure they get into those kinds of programs—and we will see the benefit of

that. I don't really understand why the member opposite isn't supporting both the bill today and the overall effort, because it has everything in it that he's asking for.

HEALTH SERVICES

Mr. John Tory (Leader of the Opposition): My question is for the Acting Premier. On October 24 of this year, when your government launched the wait times Web site with much fanfare, the Minister of Health said, and I quote, "I had the privilege of being part of a remarkable event: the launch of" our "wait times Web site ... we often hear calls for greater accountability and greater transparency. We often hear calls for reliable, up-to-date information. Well, we've delivered." That's what he said in this House.

When the Web site was launched, your Premier and the minister trumpeted the reliability of the data. Now we have received the next posting of the data, which shows that wait times are going up in every category that is measured, not down, and the Minister of Health says that we should pay no attention to it because the data aren't reliable. Which is it?

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): I think it's very important to focus on the fact that this is the first government that has established any kind of public system where people are able to access a Web site and understand what the wait times are in the province. The information that was most recently posted is in addition to the information that was launched at the time of the Web site.

We believe that this is a very important tool. I would say to the honourable member that the people of Ontario value this as a tool. Up until now, some 400,000 Ontarians have accessed this information. Obviously, they find value in the Web site and they believe that this information is important to them when they make choices about their health care.

Mr. Tory: In fact, the real question is, what good is it to those 400,000 people if they're told by your minister, who answered here in the House yesterday, that the data are not reliable? When Premier McGuinty announced the Web site in October, he was asked why only 74 of the province's 159 hospitals were included, and whether that meant the figures were inaccurate or incomplete. His response was, and I quote, "The 74 hospitals are those that have been given special funding dedicated toward the five procedures." The figures received directly from the Ministry of Health yesterday, which represent wait time data for the latest available months, August and September, cover exactly the same 74 hospitals.

My question is this: The Minister of Health left the impression that the reason the numbers are changing is because more hospitals are reporting data. Seventy-four hospitals reported in July and 74 in September. Wait times are going up across the province. Why?

1500

Hon. Mrs. Dombrowsky: I think it's important that I correct for the honourable member that there are five

more systems now on-line than when the program was announced. I think that is important for the honourable member to know.

I also want to remind the honourable member that this is the first time in the history of the province that people have been able to access a Web site and get this information. We believe this is very important. We believe we have provided them with a tool that is useful. In terms of the investments we have made to improve access for Ontarians to health care services, we have increased access to MRIs by 42%, we have increased hip and knee surgeries by 28%, cardiac surgeries by 17% and cataract surgeries by 18%.

These are the kinds of figures that Ontarians can access on that Web site. We think it's important information to have, and 400,000 Ontarians believe this as well.

Mr. Tory: Why should they believe all those numbers you just gave when you said they can't even believe the numbers on this Web site you talk about? You've put a Web site in front of 400,000 people and then told them that what they're looking at is not reliable data.

When we look at cardiac wait times, they're up 22% since July, and cataract surgeries are up 16% since July, on your watch, despite the fanfare and all the rhetoric.

When the wait times registry you put forward doesn't show what you want it to show, suddenly it's an unreliable instrument. Either we have a wait times registry that people can rely on and trust, or we don't. So I'm asking you this: If it's not reliable, as the minister said yesterday, then we should take it down and stop having people get misled by going there and seeing this information. If it's accurate, then stand up and admit that the wait times in this province are going up on your watch, and all this other stuff that you just said means nothing.

Hon. Mrs. Dombrowsky: What I am going to say to the Leader of the Opposition is that over 400,000 Ontarians have made use of this site and made use of the information that's available on it. I would ask the honourable member, who has some question about why it—

Interjections.

The Speaker (Hon. Michael A. Brown): Quiet, please. I'm having difficulty hearing the minister.

Minister.

Hon. Mrs. Dombrowsky: For the first time in Ontario, Ontarians are able to access information on a Web site that was never available to them before. I think they would be very interested to understand from the Leader of the Opposition what impact it is going to have on wait times for the people of Ontario when you cut \$2.4 billion out of health care.

Interjections.

The Speaker: Order. New question.

NUCLEAR ENERGY

Mr. Howard Hampton (Kenora-Rainy River): My question, for the Minister of Energy, is about nuclear power and the McGuinty government's lack of respect for the democratic process.

For the past six months, you've been listening to Liberal lobbyists and nuclear insiders in the backroom. The result: You now have a scheme to spend \$40 billion on new nuclear plants. Forty billion dollars for nuclear power means that the average family of four in Ontario will have to shell out \$13,000 for expensive and unreliable nuclear power.

My question is, how can the McGuinty government deny ordinary families across Ontario full public hearings so they can have their say on your expensive and unreliable nuclear scheme?

Hon. Donna H. Cansfield (Minister of Energy): I find it interesting that someone who, in their time in government, probably put in the most expensive—just putting in 43 NUGs, the non-operating utilities. Having said that, we have a process that we have put in place. The process is that we have posted on the Environmental Bill of Rights Web site, not for 30 but for 60 days, the opportunity for everybody not only to access a very lengthy report but to have time to respond to it. I've also indicated that my door is open. I am quite prepared to meet with absolutely anyone who would care to come, and I know that it's also true of the Minister of the Environment.

We believe that we do have a process to follow through. The Ontario Power Authority was asked to put forward a mixed fuel supply report. That report is here. We will give it serious and due diligence.

Mr. Hampton: Well, Minister, before you let the nuclear industry get their hands back in the pockets of ordinary folks, to the tune of \$13,000 for every family of four, there should be full public hearings. People should have an opportunity to pass judgment on your scheme.

Before the election, Dalton McGuinty agreed with that. He said, "For decades, we have watched our democratic institutions erode. We will mandate consultation." Now that Dalton McGuinty has a backroom scheme to spend \$40 billion on nuclear plants, suddenly your talk about consultation has been shut down.

I ask you again, Minister: Why will you not have full, open, public consultations? When did Dalton McGuinty change his mind?

Hon. Mrs. Cansfield: I thank the member for the question.

During Bill 100 readings, we in fact did put in place the process. The process is very clear. We created the Ontario Power Authority so they could do a mixed fuel supply report for the government. That, then, is the basis for the integrated plan that will be put forward in the next phase. Then, after that, it goes through public hearings at the Ontario Energy Board. So there are processes.

I do not recall this member raising any issue about this at any time during Bill 100, but maybe suddenly this is of great interest. We do have a process in place. We will follow through. We're quite prepared to, as I said, meet with whomever. I am quite prepared to receive all submissions, and we will follow through. We will give this serious consideration, but also, it's the first time in 12 years that any government has done anything, and we

need to keep the lights on in Ontario. We will be prudent, but we will be responsible.

Mr. Hampton: This is incredible. The McGuinty government that used to believe in full, public, open hearings now says they'll commit to \$40 billion in nuclear spending with no public hearings.

Minister, yesterday and again today, you said, "I'm happy to meet with whomever would like to meet with me on the Ontario Power Authority report." I'm happy to report that New Democrats have set up a "Meet with Donna" Web site so that people can set up their own personal meetings with the energy minister. It is www.ontariondp.com/meetwithdonna, or call her at 416-325-4479, or fax her at 416-325-5316.

I merely want to confirm, Minister, that you'll keep the promise you made yesterday and won't suffer a Dalton McGuinty change of mind. Will you commit to meet with all those people who want to meet with you?

Hon. Mrs. Cansfield: I just find this amusing from someone who cancelled virtually every program they ever had, whether it was in conservation—I mean, he just voted against a bill in conservation, for heaven's sake.

Interjection: Conawapa.

Hon. Mrs. Cansfield: Conawapa, and the whole issue around Manitoba. They cancelled the 25 class EAs for Ontario Hydro. The list is long.

As I indicated, there is a process in place. We will follow through with that process, and we will take this seriously.

You know, at the end of the day, it isn't about the fun and games that are happening with the NDP; it's about keeping the lights on for the people of Ontario. For the first time in 12 years, we have put in place a process to make that happen.

The Speaker (Hon. Michael A. Brown): New question. The leader of the third party.

Mr. Hampton: Minister, this is not fun and games. This has very serious implications for the people of Ontario.

But I didn't hear an answer to my question. So I will give the Web site again. It's www.ontariondp.com/—

The Speaker: The question is to whom?

Mr. Hampton: The Minister of Energy.

The Speaker: Thank you.

Mr. Hampton: The reason this is so serious is that we've seen the loss of 52,000 good manufacturing jobs already in this province, much of it due to your policy of driving hydro rates through the roof. Now AMPCO, the association representing large industrial power users, warns that \$40 billion for new nukes is going to send hydro rates even higher and kill more jobs. So a lot rides on hydroelectric decisions.

1510

My question again is—this is such a big decision; it affects the environment; it affects health and safety; it affects jobs and the economy—why do you refuse to hold the full, open, public hearings—

The Speaker: The question has been asked.

Hon. Mrs. Cansfield: I thank the member for the question. This is the first government that in fact, in just two years, has put more generation into this province than all of North America. Think about that: It's 2,800 megawatts since 2003. We have 10,000 megawatts set in motion. We are moving forward.

This is the same government that actually said—and I think the quote is wonderful. They really don't care about wind. What did they say? "Gee, windmills, solar houses and so on—it makes no economic sense." They said that to their environmental focus supporters. We think it makes sense to put in biomass, wind turbines and to look at the alternatives, because we put an emphasis on renewable. It's an 80-fold increase from what was there before.

Nobody took those decisions. We've made the decisions. We've moved forward. We have a strategy, we have a vision, and we will continue on that path.

Mr. Hampton: Because the McGuinty government will not commit to full public hearings on their \$40-billion nuclear scheme, here's the Web site people should go to: www.ontariondp.com/meetwithdonna, although now, suddenly, the minister doesn't seem to want to meet with people.

Minister, this is how serious this is. A new manpower report rates Ontario's job-creating prospects over the next year as follows: construction, minus 26; wholesale/retail, minus 21; manufacturing, minus 12. It concludes that Ontario has the most pessimistic job projections of any province in the country, and your hydro policy is going to make the job crunch worse.

I ask again: Dalton McGuinty promised full, open, public consultation. Why will you not hold full, open, public hearings on your \$40-billion nuclear—

The Speaker: Minister?

Hon. Mrs. Cansfield: I think we'll put our record against their record any day. We have 215,000 jobs. We've created more energy in this province than you even thought about; you cancelled everything. There is no question: We have brought almost \$3-billion worth of industry into this province that wasn't there before, creating jobs, bringing in new jobs such as DMI, the new wind turbine manufacturer in Fort Erie, because we know that there is a new opportunity here around renewable energy. We know that there are job creations. We know that there is an interest and an appetite in people to look at renewable energy, and we have moved forward on that. We will continue.

We have our vision. We will maximize the existing assets we have in transmission and generation. We will build new capacity, and we have done that. We will create a culture of conservation, and we will continue on our path for that strategy for the future.

Mr. Hampton: People are coming to understand that after all the talk, the McGuinty government vision for hydroelectricity is lots of expensive, unreliable and potentially unsafe nuclear power. Before you commit the people of Ontario to borrowing another \$40 billion, before you can give them an answer on where you're

going to store the nuclear waste and look after the health and safety issues, I think you owe the people of Ontario full, open, public hearings.

So let's hear it: Before the election, Dalton McGuinty was all for full, open, public hearings. He was all for more democracy. Why don't we see democracy? Why don't we see full, open, public hearings when it comes to your \$40-billion backroom nuclear deal?

Hon. Mrs. Cansfield: Again, if all those programs had not been cancelled by the NDP government, we wouldn't be in the challenge we're in today. There has been no new generation in this province for a long time. You cancelled Conawapa; you cancelled the Beck tunnel; you didn't like wind; you don't like water; you don't like gas. I don't think you like anything. The difference is that we have a vision, Mr. Speaker; they don't. The fact of the matter is their vision was that they cancelled everything.

We're moving forward. We have a process in place. We have posted—we've posted double the time. We're prepared and willing to listen to the comments that have been put forward. We are going to move forward. We are going to analyze this report. We're going to take it seriously. We're going to take that report and the comments we receive, and then we will move forward where we need to, to continue with the vision for energy: to keep the lights on for the people of Ontario.

HEALTH SERVICES

Mr. Frank Klees (Oak Ridges): To the Acting Premier: Minister, the Minister of Health and you today continue to deny that more people than ever are suffering on waiting lists for essential surgery in this province. How do you explain that 75-year-old Edith Horton of Richmond Hill, who was confined to her bed in unbearable pain for more than 10 weeks, waiting to have a critical back operation, was instructed by her orthopedic surgeon to call her MPP because he, the surgeon, saw no hope of getting her on an operating list? Acting Premier, is having surgeons refer their patients to MPPs part of your new waiting list strategy in this province, and if so, what am I, as the MPP, to do about the patient's circumstances?

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): Our government has implemented a wait list program, where people in Ontario are able to access information around wait times in this province. We believe this is very important information. With respect to the situation you've described to me, I believe it might be helpful for both the family and the physician to access that information. It may be helpful for them to know where they can access more expeditious service. I will say, and the minister made it very clear, that as information becomes available on the wait time registry, that will enable this government to better understand where we need to focus our resources so we can continue to reduce wait times, and increase the number of these procedures that are taking place in our hospitals today.

Mr. Klees: I would ask the minister to beam herself down from her virtual health care world and deal with the real issue I'm asking her about. The rhetoric I'm getting isn't helping this patient, and it surely isn't encouraging to Mrs. Lena Lipp, who is 81 years old, also of Richmond Hill, who has waited seven months to see her orthopedic surgeon. When she finally had that meeting last week, guess what he told her? No hope of even getting an operating time for at least a year or more. Minister, Mrs. Lipp was told by her orthopedic surgeon not to go to a Web site. He told her, in practical terms, for more than a year there's not even a hope of getting her needed back surgery. She's in pain. This is a serious problem and I'm asking the minister, what do you expect—by the way, he also told her to call her MPP. What is this referral to an MPP all about? Is that your new strategy for the province of Ontario?

The Speaker (Hon. Michael A. Brown): The question has been asked.

Hon. Mrs. Dombrowsky: I'm not able to comment on any direction any physician would give to any patient. What I would say to the honourable member, though, is that for eight years, prior to this government coming to office, wait times were not a priority. However, wait times are a priority for this government, and I'm very happy to report that we have invested an additional \$261 million to address the wait time issue. As the honourable member has indicated, many people in Ontario are watching this government and the leadership we're taking on this very important file. I believe that the people of Ontario understand that for eight years this was an area that was sadly neglected, and that it is going to take a good deal of time to crawl out of that hole. But this minister, this government, has directed \$261 million specifically to address—

The Speaker: Thank you. New question.

1520

SECURITIES INDUSTRY

Mr. Michael Prue (Beaches-East York): My question is to the Minister of Government Services. As you know, there is growing evidence that insiders may have profited from advance knowledge of Ralph Goodale's November 23 income trust announcement. When I questioned you yesterday, you declined to take any action, even though you have the authority under section 5.

My question today is different. Do you believe it is important that any investigation into this matter be conducted in a way that is not only impartial but is seen to be impartial?

Hon. Gerry Phillips (Minister of Government Services): Again, the Legislature has set up the Ontario Securities Commission to handle these matters. I have complete confidence that their processes will identify if anything untoward has happened. They will conduct their investigation fairly, equitably and responsibly, like they always do.

I would again say that the hint of using political interference to determine when an investigation should or shouldn't take place is inappropriate.

Mr. Prue: Minister, W. David Wilson, your new chair of the Ontario Securities Commission, has been silent to date on this matter. One only has to take a quick scan of the Elections Canada Web site to show that Mr. Wilson is an avid financial supporter of the Liberal Party of Canada, the only party to which he donates money. Mr. Wilson has already been forced to recuse himself from investigations into the Royal Group due to a potential conflict. You agreed with that. Today, Judy Wasylycia-Leis, the federal NDP critic, has asked Mr. Wilson to recuse himself again. I am asking you this question: Will you support the effort and will you order Mr. Wilson to recuse himself in this situation?

Hon. Mr. Phillips: Let me just say that Mr. Wilson is a man of impeccable integrity. He is someone with a strong reputation for fairness and integrity. I find it very concerning that you would impugn him when he is an individual who, to anybody who knows him, is above reproach. If he determined he should recuse himself, he would.

My advice is, be very careful when you smear someone's integrity and reputation. You would do enormous damage to good people who want to serve the public and then are subjected to this kind of smear campaign. I would just say that he is an individual of impeccable integrity. If he should recuse himself, he will. I have complete confidence in him. I would just suggest to you that you do harm to the province when you go after—

The Speaker (Hon. Michael A. Brown): Thank you.

ONTARIO MUNICIPAL BOARD

Mr. Kevin Daniel Flynn (Oakville): My question today is for the Minister of Municipal Affairs and Housing. As you know, Ontario Municipal Board reform has long been a passion of mine and an issue that many of my Oakville constituents would like to see addressed. I've asked you on previous occasions about our government's plans for the Ontario Municipal Board. In fact, on November 24, 2003, I asked you if you would take the recommendations of the GTA task force on OMB reform seriously. You said you would, and yesterday you delivered and kept your promise. Previous governments did nothing to address the problems associated with the OMB.

Minister, can you please tell me how these reforms will empower local citizens and government representatives to make good planning decisions for their community?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I thank the member for his question. First of all, I would like to congratulate the member for being such an outstanding advocate, not only for his own riding but for planning and OMB reforms. We within the ministry have certainly benefited from his

experience and from the experience of many of my colleagues as well.

As he knows, we want Ontario's municipalities to have more power when it comes to making planning decisions, and we want the citizenry to be more engaged. That's why we have adopted the concept of the complete application, so that all the information that is required for a council to make decisions will be made available upfront and will be there for the Ontario Municipal Board to review if they should disagree with the particular decision a council may have made.

We want to make sure that the front end of the planning process is such that it's available for everyone to know exactly what's going on, so that our communities can be developed and built—

The Speaker (Hon. Michael A. Brown): Thank you.

Mr. Flynn: In the past, another criticism of the Ontario Municipal Board has been the cost to municipalities. One glaring example comes right from my own riding of Oakville. The town of Oakville recently estimated it could cost them up to \$13.6 million just to defend its secondary plan for north Oakville. Previous governments appeared to be content to stand by as the OMB continued to eat up millions of dollars from municipalities. You and I both know, Minister, that Ontarians would prefer to see that money going to better use. They'd like to see investments in health care, education and the economy, but they also want to live in well-planned, sustainable communities. Can you tell me how these new reforms that you introduced yesterday will make the OMB more efficient and help municipalities to achieve that balance?

Hon. Mr. Gerretsen: Certainly spending less time and money at the OMB means that municipalities will have more money available for the kinds of services this member has talked about.

As a matter of fact, the Toronto Star in an editorial this morning highlighted our government's initiative in this regard. They said that fewer cases going before the tribunal could also mean savings for cities across Ontario, which collectively spent millions and millions of dollars each year in legal fees, fighting cases at the board level.

We have accommodated that by having scoped hearings, so that the kinds of hearings that have been going on, which sometimes go on for a very long period of time, will be scoped to the issues that are critical for the proper development of a municipality. We believe that's the best way to approach it: To look at the Ontario Municipal Board strictly as an appeal body rather than a body of primary decision-making. The reforms we have made will benefit not only the communities, but particularly the citizens who live in those communities.

TORNADOES

Mr. Ted Arnott (Waterloo-Wellington): My question is for the Minister of Municipal Affairs. On August 19, parts of Waterloo-Wellington were devastated by

two tornadoes which touched down in Centre Wellington and Mapleton.

While initially we were grateful that the Ministers of Community Safety and Municipal Affairs toured the damaged areas, we were extremely disappointed with the provincial government's inadequate offer of financial assistance to our communities—only about \$335,000 in total. This represents only a fraction of our cleanup costs, the balance of which must be borne by the local taxpayers. What's worse, in calculating the provincial support grant, the minister cut our grant by an arbitrary figure amounting to 4% of the municipalities' budgets. That's like making a donation to the Salvation Army at Christmastime and asking for change.

My question is this: How can the minister justify this miserly response to the victims of a natural disaster which occurred in Ontario? And please answer the question; don't just read from a briefing note.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): And a Merry Christmas to you, too.

First of all, let me say that, as the member well knows, this particular situation, which I had an opportunity to view just before Labour Day this year, does not lend itself to an ODRAP application to the extent that, although damage was done to private property, most of the damage, if not all of the damage, was fully insurable and nobody was put out of their own accommodation.

He's quite correct that we did get an application from two individual municipalities—Mapleton and Centre Wellington—for assistance in the cleanup relief. As a matter of fact, under the special assistance grant, we gave a grant of \$182,500 to Centre Wellington and \$152,600 to Mapleton. This is basically to assist those municipalities with the extraordinary costs they were put to as a result of the cleanup that was required.

1530

Mr. Arnott: It is not enough. This is the fourth time I've raised this issue in the House. I've met with ministry staff. I discussed it with the Premier on September 9 and again last week. The mayors of Centre Wellington and Mapleton, as well as the Grand River Conservation Authority, have written to the minister to seek reconsideration and an increase in our provincial grants. The county of Wellington is interested as well. My supplementary question to the minister is this: Will he meet with our municipal officials and the GRCA to allow them to make their case, and will he announce a doubling of their provincial grants?

Hon. Mr. Gerretsen: I certainly admire the member for bringing this issue consistently to my attention, and also to the attention of the Premier, as he did in the House here a couple of weeks ago. We received a letter from the municipalities just within the last couple of weeks. We are evaluating that to see whether or not there is any further special assistance grant money available for them. We will get back to those municipalities, and to this member as well. However, it should be pointed out that the special assistance grant money that has been

given to both of these municipalities is money they have received, basically and primarily, for the public extra cleanup work they had to do, and for the conservation authority that serves both of these municipalities.

CONFIDENTIAL INFORMATION

Mr. Peter Kormos (Niagara Centre): I have a question to the Deputy Premier. The Trillium drug plan assists over 81,000 Ontario families who need help to buy vital and often life-saving pharmaceuticals, prescription drugs. The plan requires access to patients' private health and financial information, and this very sensitive information is currently handled with great care in the public health care system by public service workers. A year ago, your Minister of Health said this: "We're working hard ... to build on the capacities of our public health care system. We don't think privatization is the solution." Deputy Premier, if that's the case, why have you and your government decided to privatize the Trillium drug plan?

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): I think it's important at this time to remind the honourable member that this Legislature passed privacy legislation that impacted health care. So it is our expectation that the concerns he has raised would be addressed in that legislation.

Mr. Kormos: Deputy Premier, it was just last week that the Auditor General exposed the disgraceful record of Ontario's privatized driver licensing system. In the hands of unaccountable private companies, Ontarians' identifying information was lost or stolen to the tune of 56,000 licence plates and permits over the last four years. Despite this dismal record of privatization when it comes to keeping people's information safe, you're talking about and committed to contracting out, privatizing Ontario's Trillium drug program to for-profit corporations. This move puts the security of financial income tax and confidential health information of families who need that plan very much at risk. In the wake of the auditor's report, and in view of the fact we have scarce health dollars, certainly not enough to provide profit for private companies, why are you persisting with the privatization of this important health service, the Trillium drug plan?

Hon. Mrs. Dombrowsky: First of all, again I say to the honourable member that our government has passed legislation to ensure that very sensitive health information of individuals in Ontario is protected. I also want to take this opportunity to remind the people of Ontario that our government has increased funding for Ontario drug benefits by \$570 million, unlike the NDP. When they were in government, they actually cut support for this drug benefit plan by \$30 million. So I think it's very clear to the people of Ontario that our government is acting to protect their privacy interests, and we are also acting to increase access to drug benefit coverage to the tune of \$570 million.

DOMESTIC VIOLENCE

Ms. Judy Marsales (Hamilton West): My question is to the minister responsible for women's issues. Over the past few months, we have heard horrific cases of domestic violence in Ontario. Many of the women we are hearing about have lost their lives at the hands of their partner, boyfriend, common law spouse, or husband. I want to take this opportunity to send my condolences to all grieving families who have experienced a loss from domestic violence. I know my constituents of Hamilton West and every member of this Legislature do not tolerate abuse against women.

Minister, I know that you and our government are constantly striving to prevent these situations before they happen and to help women and children get the support they need when it does happen. Today is the first anniversary of the McGuinty government's domestic violence action plan. Can you please tell this House some of the highlights of this plan and what this government has been able to accomplish in this last year?

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): Let me start by saying how much I appreciate the support from the member from Hamilton West, who is a staunch supporter of the work the government is doing. On that note, all members of this House have been active participants in changing attitudes around violence against women, and I thank all members of the House for this.

Today is, in fact, the first anniversary of our laying our domestic violence action plan on the table. One year ago, we laid out a plan that supports four significant areas. The pillars of this plan include supports for community activities that support women and their children, the justice sector, training, as well as public education. Some \$66 million of investment going through for additional community supports is vital so that we can protect women and their children; and \$4.9 million in public education.

For the first time ever, we are getting involved as a government to lead the way in changing attitudes, with a significant focus on young people. We were very surprised to see that attitudes, in fact, are affected at a very young age and we do—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary.

Ms. Marsales: Minister, your passion for this portfolio is refreshing, and I am proud to be part of a government that has done so much. This plan is more extensive than any other government has ever done before. The McGuinty government is working toward raising awareness for women who have been the victims of domestic violence and directing women to the resources in this community so that they can find help before something more tragic happens to them. I'm also pleased to see this government working so diligently across many ministries, as this truly is a collaborative effort.

Minister, over the next—

Interjections.

The Speaker: Order. I have not been able to hear the member for Hamilton West. The member for Hamilton West.

Ms. Marsales: I'm pleased to continue.

Interjections.

Ms. Marsales: Minister, over the next year, how will you make sure—this is such a serious issue. Forgive me for smiling, but these people are causing me to laugh. How will you make sure that our front-line workers from various sectors are trained to identify signs of abuse and provide women and children with the appropriate supports? To the members from the opposition, this is not a funny issue.

Hon. Ms. Pupatello: Again, I very much appreciate it. We have tremendous support from many members of the House, including the member from Hamilton West. When we organized our expert panel on training front-line workers, it was a significant difference. I believe, of the whole plan, it may be the one element that will have the most serious, dramatic impact on how we respond at the front line when women walk in the door, for example, of an emergency room and they are being identified, finally, as having suffered from domestic violence. All violence against women has to be identified early. We announced education panels for the English school boards as well as the French school boards, and just a couple of weeks ago, we announced these panels specifically for emergency room front-line staff. It will make a world of difference.

It is the first time that we've gotten involved in this, to set a high standard, province-wide, for appropriate training to be rolled out across Ontario. Be proud of the plan and be proud to be participating in raising the standard—

The Speaker: Thank you. New question.

1540

HIGHWAY CONSTRUCTION

Mr. Gilles Bisson (Timmins-James Bay): Come on, John. You can top that question.

Mr. John Tory (Leader of the Opposition): It's not possible.

My question is to the Minister of Transportation. Minister, tens of thousands of people in Brampton and Caledon and many other communities have a keen interest in the extension of Highway 410. This project has been in the works for years, including two years on your watch. Is the minister prepared to confirm now that he will be proceeding with phases two and three of the extension of Highway 410, confirm when work will begin, and confirm as well that every reasonable step will be taken to mitigate the effects of the extension of Highway 410 on neighbourhoods like Valleywood? Will you confirm those things for us now?

Hon. Harinder S. Takhar (Minister of Transportation): Actually, I was expecting this question a long time ago. I thought the Leader of the Opposition would ask me this question, because half of the 410 goes in his riding. Actually, I have not yet understood what his

position is on 410: whether he wants this Highway 10 to go through the Valleywood Park, behind their homes, or he wants us to reconfigure the 410.

But let me tell you what our government is doing. We are absolutely committed to moving ahead with Highway 410. We are actually about to tender the construction contract for phase two of the Highway 10 project. But there's only one hitch: There's one person who has asked for judicial review of his land. As soon as that issue is cleared up, we will go ahead and tender phase two of the 410 contract. I look forward to the supplementary to respond on the next—

The Speaker (Hon. Michael A. Brown): Supplementary?

Mr. Tory: The minister will know what my position is, because I asked you about mitigating effects on the neighbourhood, which you didn't answer.

My supplementary is this: Another project, which has been in the works for years, including more than two years on your watch, is the widening of the two-lane stretch of Highway 10 through the village of Caledon. Now, the minister will know that this narrowing of the highway both poses a safety risk and contributes a lot to gridlock for tens of thousands of people in southern Ontario. Will the minister confirm that he's going to put a push on this project and get on with it and get something done on this Highway 10 widening through the village of Caledon?

Hon. Mr. Takhar: Let me tell you what I'm prepared to confirm. I'm prepared to confirm that we are going to consult the local community and we're going to hear their views, and then we will do what is absolutely necessary to move ahead with these projects. We understand these projects are important for the Caledon community, they're important for Peel, and that's why we're absolutely committed to moving ahead with these projects, especially the third phase of the 410. It is critical for us to have some congestion relief in those areas.

COURT INTERPRETERS

Mr. Peter Kormos (Niagara Centre): A question to the Attorney General. Sir, one of Ontario's busiest multicultural courthouses is using court translators, who, in the words of Justice Casey Hill, constitute a critical threat to justice. Judge Hill noted that this year alone in Peel, unaccredited interpreters were used 54 times in court, and unaccredited interpreters who had failed the provincial accreditation test worked in 96 instances, resulting in mistrials and potentially numerous miscarriages of justice. What immediate measures are you and this government taking to ensure that only accredited interpreters are used in Ontario's justice system?

Hon. Michael Bryant (Attorney General): The member is asking about a specific case. We are still in the appeal period, so I'm not going to speak to the finding by Justice Hill and whether or not we are going to appeal. I will say that over the last several months, Brampton courts management has undertaken a number

of measures to address the provision of interpreter services, including spot checks of interpreter performance, and ensuring the elimination of unaccredited interpreters, except in urgent cases and only in consultation with the court. I look forward to expanding on this in the supplementary.

Mr. Kormos: Sir, this is a very serious matter, incredibly serious, because Judge Hill determined that even interpreters with provincial accreditation are not properly trained to interpret, amongst other things, legal terms and complex legal concepts. He stated that the competency test has been dumbed down in an effort to lower failure rates, to the point that it's almost meaningless. There are interpreters, sir, who can't read or write the language that they're interpreting. This is critical.

When are you going to provide sufficient resources for interpreter training, so Ontarians from all linguistic backgrounds have access to justice in Ontario's court system?

Hon. Mr. Bryant: Again, I thank the member for the question. I can't comment on Justice Hill's findings because we are in the appeal period, and I don't mean anything I say to speak to that judgment or otherwise argue that case. We have undertaken a comprehensive review of court interpretation services. We're working to implement new testing and accreditation standards. As well, with the Ministry of Citizenship and Immigration, we're participating in the development of a new province-wide college certificate program for interpreters, and the program will be offered through community colleges beginning in September 2006.

AGRICULTURE INDUSTRY

Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh): My question is to the Minister of Agriculture. I'd first like to preface my question by saying that I support Ontario farmers, and I encourage every Ontarian to look for produce from the Ontario family farms when they go to buy their groceries.

It is important that we support our farmers and support their way of life. Much like our environmental specialists or youth service coordinators, our farmers are often unsung heroes, whose services we benefit from without often stopping to consider them. It is only when they are gone that we realize what we have lost. It is the role of government to move proactively to ensure that the general populace never needs to face a world without family farms.

Minister, I know that your federal counterpart recently made an announcement for the agricultural community in an attempt to address the need for stability. How will the details of this announcement affect our farmers, and what is the McGuinty government doing to ensure that the future of our farmers is being planned for?

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): It's a very important question, because I know everyone in this Legislature is concerned that we should ensure the viability of our agriculture

industry. The McGuinty government was disappointed, I must say, with the federal announcement. We have been working with the Unified Voice for farmers in the province of Ontario. We are working with them. They would promote a plan that is multi-year, that is flexible, that would enable flexible investments not just in the grains and oilseeds sector but in other sectors that are in need of support.

Like Unified Voice for agriculture, our government recognizes that in the agriculture industry they are not dealing with a level playing field. That is why this government is supporting me in my trip to Hong Kong this week to deal with the World Trade Organization talks. We believe that it's very important that the interests of Ontario agriculture are represented at that forum.

Mr. Brownell: First of all, I would like to wish you the best as you travel to Hong Kong and the WTO talks. The rural communities, the farmers of Ontario, know that this government is aware of their concerns and doing everything within its means to address them. I join with rural Ontarians in thanking you for your continued contributions and success.

The last year has been a difficult one for farmers, no doubt about it. Along with many of my colleagues here in the House, I have visited farms in my riding and in other regions of Ontario, such as Lanark county, which I had an opportunity of going back to this summer, to learn more about the specific nature of these difficulties. I grew up on a family farm, and there were difficulties back then. There have been many difficulties in the past 10 years, but certainly, farmers are facing some stress.

As 2005 draws to a close, Minister, could you explain to us what measures this government has taken over the last year to address the needs of Ontario family farms and the farmers?

Hon. Mrs. Dombrowsky: As I talk with farmers and agricultural producers in my riding as well, I come to understand that they want access to primary health care. Our government has invested in family health teams across Ontario. That's a positive for rural Ontario.

They also want access to quality education. I was pleased to be with my colleague yesterday in London when we announced our rural education plan. We have established the Canada-Ontario municipal infrastructure program. I can say that many members on the other side of the House have written to my office supporting their municipalities in their bid to access some of those funds.

Specifically, I'm very happy to say that this year alone our government has announced \$520 million in the Ontario ethanol growth fund. We have provided a \$3-million endowment to establish a chair at the agricultural research station at the University of Guelph. We've provided \$23.7 million for nutrient management, \$50 million directly to tobacco producers and tobacco-growing communities, \$174 million to the grains and oilseeds—

The Speaker (Hon. Michael A. Brown): Thank you. New question.

1550

HIGHWAY CONSTRUCTION

Mr. Jerry J. Ouellette (Oshawa): I have a question for the Minister of Transportation, dealing with infrastructure timelines. Minister, as I'm sure you're well aware, the Stevenson Road interchange in Oshawa is proceeding now. Some of the concerns that are coming forward are the timelines for the completion. It appears that it could be 2008, 2010. The substantial delays in the amount of time it would take to construct that interchange are having a big impact on the other development taking place in that area, along with General Motors, which is very dependent on that with the new approximately \$2 billion worth of infrastructure and the paint plant that's going in there. Minister, can you tell us what the reasons are or what the timelines are going to be for that Stevenson Road interchange?

Hon. Harinder S. Takhar (Minister of Transportation): The Durham region is growing, and we understand that this is an important project. The contract for this project was tendered in August 2005. It is a \$61-million contract. This is a complicated project.

Let me just give you a few outlines about this project. It requires a major realignment of Highway 401 northerly by approximately 30 metres, including new storm sewers and illumination. It requires the construction of five new bridges: Stevenson Road bridge, three ramp bridges and a CP Rail bridge. It requires more alignment of the municipal roads adjacent to Highway 401, and also needs major realignment to the CP railway, required in order to build a new bridge. So it is a complicated project. I can provide you details, project by project, if you like, but our hope is that the project will be completed by the 2009-10 time frame.

The Speaker (Hon. Michael A. Brown): Supplementary?

Mr. Ouellette: Thank you, Mr. Speaker. We just made it under the wire. I appreciate that.

As I mentioned, Minister, the timelines are very critical for development within the region of Durham as well, not only in Oshawa, with the 407 construction. Some of the concerns there: What's going to take place with the 407, and is it going to proceed all the way to 35/115? Because it will be the largest economic stimulus within the region. Can you give us some updates as to what's taking place or what's going to take place with 407 and advanced construction?

Hon. Mr. Takhar: Again, I want to thank the member for asking this question. Highway 407 is another project which is very essential and important for the Durham region. I want to tell you that the EA was approved by the Minister of the Environment in January 2005. We are moving ahead with the environmental assessment. We are not only taking into account the current capacity of the highways, but we are going to look long-term for 30 years' growth and see what needs to be done in that region. So the EA project is going to take two to three

years. After that, we will move ahead with that project as well.

NOTICE OF DISSATISFACTION

The Speaker (Hon. Michael A. Brown): Pursuant to standing order 37(a), the member for Bruce–Grey–Owen Sound has given notice of his dissatisfaction with the answer to his question given by the Minister of Natural Resources concerning the Neustadt lagoon. The matter will be debated today at 6 p.m.

Pursuant to standing order 37(a), the member for Hamilton East has given notice of her dissatisfaction with the answer to her question given by the Minister of Culture concerning the Royal Botanical Gardens. This matter will also be debated today at 6 p.m.

PETITIONS

FINANCIAL SERVICES INDUSTRY

Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford): I'm very pleased to present a petition to the Legislative Assembly of Ontario, which reads as follows:

"Whereas Bill 213, Justice Statute Law Amendment Act, 2002, enacted the Limitations Act, 2002, which provides for a reduction in the legal limitation period, from six to two years;

"Whereas the two-year limitation period in effect from January 1, 2004, is not long enough for investors seeking restitution after suffering serious financial damages due to the wrongdoing of the financial services industry; and

"Whereas the Attorney General's position is that the plaintiff investor interests do not need further protection;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial government immediately pass and implement an amendment to the Limitations Act, 2002, to provide an exemption for claim by victims of financial services industry wrongdoing so that no time limitation period applies to such claims."

I support the petition and affix my signature.

CANCER TREATMENT

Mr. Tony Ruprecht (Davenport): I have a petition signed by over 150 persons. It's addressed to the Parliament of Ontario and it reads as follows:

"Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

"Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

"Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

"Whereas cancer patients have the right to the most effective care recommended by their doctors;

"We, the undersigned, petition the Parliament of Ontario to provide access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients."

I submit this to you and am happy to provide it to a page.

FIREARMS SAFETY

Mr. Norm Miller (Parry Sound–Muskoka): I have a petition to the Legislative Assembly of Ontario. It reads:

"Whereas the practical examination for the handling of firearms is a valuable component of the hunter safety course; and

"Whereas hunters and safety instructors have grave concerns about the removal of the practical examination for handling firearms;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the practical examination of the handling of firearms continues to form part of the hunter education safety course for Ontarians."

I affix my signature to this petition.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Tony C. Wong (Markham): This is a petition to the Legislative Assembly of Ontario.

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I support this petition and affix my signature hereto.

The Speaker (Hon. Michael A. Brown): Pursuant to standing order 30(b), it being 4 of the clock, I am now required to call orders of the day.

ORDERS OF THE DAY

ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM ACT, 2005

LOI DE 2005 SUR LE RÉGIME DE RETRAITE DES EMPLOYÉS MUNICIPAUX DE L'ONTARIO

Resuming the debate adjourned on December 12, 2005, on the motion for second reading of Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act / Projet de loi 206, Loi révisant la Loi sur le régime de retraite des employés municipaux de l'Ontario.

The Speaker (Hon. Michael A. Brown): Questions and comments on the speech by the member for Durham?

Mr. Lou Rinaldi (Northumberland): It gives me some pleasure to stand and comment on the comments made by the members of the opposition. Being part of the general government committee that oversaw the presentations after first reading, which is very unusual, as you know, and hearing concerns and bringing forward a number of amendments—I guess fear was bestowed by the members of opposition and some folks were concerned that we were not doing consultations. Well, I was able to report to the folks in my riding who expressed concern. The bill was introduced in June. Ministry staff went and spoke to a number of stakeholders over that time, even before first reading. Then at public hearings, yes, we heard loud and clear. We made numerous amendments to address some of those concerns.

What's it all about? It's about being fair. As you know, Bill 206 deals with the OMERS devolution to the owners and, I guess, the receivers of the pension plan. It was the only pension fund in the province of Ontario that was governed by this government, by the province, and we weren't a partner. We didn't contribute to it. The stakeholders involved needed to have that responsibility and I think that's what this bill does.

This is nothing new. Previous governments touched this. They were afraid to do anything about it. Proponents on both ends of this suggestion came forward a number of times, and no government had the guts to move forward with it. I think it's commendable.

We look forward to second reading, some other public consultation, and we'll get it right.

1600

Mr. Robert W. Runciman (Leeds–Grenville): I want to extend my compliments to the member for Durham for his contribution to this debate: as always, thoughtful, provocative, insightful and articulate. There's

no shortage of adjectives we can find to describe the contribution the member makes on an almost daily basis in this Legislature. His constituents have every right to be proud of the representation he provides to them and to so many other Ontarians in terms of raising issues of critical importance.

With respect to this legislation, I don't compliment the Liberal government on too many occasions, but I do want to compliment them with respect to sending this legislation out after first reading. That's an initiative relatively new to this place, I believe brought in by the former government. The government House leader at the time, Mr. Sterling, I believe brought this initiative to the House with respect to the reference of legislation out to public hearings after first reading. I think it's a good tool in terms of comprehensive, complex legislation that gives the government an opportunity to take a fresh look, to hear fresh views and alternative views before making a final decision.

I think we saw something like 100 amendments come forward with respect to this legislation. The fact that we're now going out for hearings after second reading I think is also helpful to the members of this assembly when we have to make that ultimate vote.

In terms of the position of our party, I think we have some concerns. We're very supportive of the police and fire in this province. We have a history of indicating our support for the fine men and women who, in many cases, put their lives on the line for all of us on a daily basis. We'll certainly keep their interests uppermost in our considerations as we move forward.

Ms. Andrea Horwath (Hamilton East): Although I wasn't able to be here to hear the comments of the member from Durham, I had a chance to read through them on the Hansard. Unfortunately—it's just my luck—I have two bills that I'm responsible for, in terms of a critic's perspective, going through the process at the same time. So last night, while these comments were being made, I was listening to presenters who were making comments on Bill 210, the Child and Family Services Act amendments, so I was busy doing that. But I recall a number of the issues that were raised by the official opposition in the process of going through not only the hearings but clause-by-clause. The issues that were brought forward in the debate yesterday afternoon pretty much outlined some of the concerns that came up through that process.

I look forward to a few minutes from now when I'll have the opportunity to provide the New Democratic Party's perspective, our caucus's perspective on this bill. I would also like to include my own regard for the process we've had a chance to undertake in terms of going through committee after first reading. Being fairly new to this House, when I saw the complexity of the legislation, I was quite concerned about how difficult it was going to be to deal with it, but I think going through that process was an appropriate thing to do. However, there are stakeholders who would have preferred quite a different process before we even got to the stage of Bill 206.

I have to say that not only do we support, as well, the desire, the need, the requirement of providing for supplementary plans for police, fire and paramedics, but we'd also like to see some fairness there for other plan members who are covered under OMERS.

Thank you for the opportunity, and I'll be able to speak again soon.

The Acting Speaker (Mr. Ted Arnott): We have time for one last question and comment.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): This is an exceedingly important piece of legislation that, as my colleagues have pointed out, is a long time coming to fruition. Whenever a bill receives this much scrutiny, particularly in committee, it's a clear indication that it has many facets to it, and certainly this legislation has that.

There have been some concerns that have been expressed by various people, as happens with all pieces of legislation. I think the committee and members of the Legislature have already taken into consideration many of the concerns that have been expressed, but there will be a further opportunity, as we know. It has been the policy of this government to provide as much committee time as possible. I must say that in my discussions with the House leader of the opposition and the House leader of the third party we've been able to accommodate the kind of committee time and effort that we think is necessary to ensure the bill is as it should be. With legislation of this kind—and I must say it works well when we do it. When we have bills which are without complication and can move quickly through the process—this session that has happened. When bills have required more study, it has been acquiesced to by the government to ensure that all views have been canvassed appropriately, and that certainly is the case with this legislation.

You're going to have some divergent points of view, but ultimately I think most people in the province would agree with the heart of the legislation: that it provides a strong degree of fairness to those who have asked that this legislation be passed. I'm sure the ultimate bill that is completed by this assembly will be one which will be acceptable to most people in the province.

The Acting Speaker: The member for Durham has two minutes to reply.

Mr. John O'Toole (Durham): Thank you very much for the comments made by the government House leader, as well as Mr. Runciman, the member from Leeds-Grenville. Having served as Solicitor General, he would know that the work ongoing with police and fire is important to the John Tory opposition.

But I want to put a couple of points on the record here in our conclusion. As you are aware, the Association of Municipalities of Ontario has received numerous motions from municipalities across Ontario stating their opposition to the devolution of OMERS, and I quote Roger Anderson, president of the Association of Municipalities of Ontario, and Hazel McCallion, the mayor of Mississauga.

Here's what Mayor Hazel McCallion had to say: "All we ask is, please do the homework before the bill proceeds any further. The impact on the municipalities of the many things that have happened, especially in fire and police, is that finally you will bankrupt the municipalities with this downloading."

The second quote is from the AMO president, Roger Anderson: "As this bill takes effect all Ontarians should be adding 3% to their current property tax bills and asking the province what they will get in return for their tax hike. The answer is 'nothing' at a time when communities need more transit and police officers, better roads and bridges and meaningful property tax relief."

Another quote: "While Premier McGuinty and Municipal Affairs Minister John Gerretsen both acknowledge the financial difficulties that Ontario municipalities are facing, Bill 206 will only make matters worse."

So when you're listening in these committees—and I commend the work of the members from Oxford and Erie-Lincoln. What I think is being resolved here, with the work of the House leaders, including Mr. Runciman, is that over the next period of time, in the intersession in January, there will be further hearings, and that relieves me, that they are trying to get this right. But there's a lot of work to be done.

1610

The Acting Speaker: Further debate?

Ms. Horwath: It's my pleasure to speak on behalf of the New Democratic Party caucus with regard to Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act, 2005. When I first started looking at this legislation, it came to my mind personally—and I know what OMERS is; I come from the municipal sector—what is OMERS? Who is OMERS? What does OMERS represent in terms of who's paying into that plan, who are the members of that plan and even, on the other side, which employers pay into the plan? I thought it would be interesting to acknowledge the breadth of workers who are members in the OMERS plan. Of course, we've already heard this afternoon about police, fire and paramedics, and certainly they're very important people in our communities, but so are many other people in our communities, important workers that we rely on every day. Ontario municipal employees are the people who work in our cities, in city government, in city service provision, as well as—you might call them—boards, agencies or arm's-length organizations that are the responsibility of municipalities.

Their plan is about \$39 billion. It's a \$39-billion pension plan, and all of that money comes from the contributions of the plan members and the employers. This pot of money, then, becomes the money or the asset that is used to pay pension plans when people retire.

I have to say that I was surprised myself, personally, to see the number of organizations that represent these various stakeholders. In the process of our hearings, we heard from a number of different stakeholders, both on the workers' side or the employees' side and on the employers' side. Many of the employees were represented

by unions, which I wasn't really expecting, to be honest with you. I knew CUPE, of course, having come from the municipal sector. I knew that CUPE, fire and police were the obvious ones, and even ONA, through public health, but also CAW, IBEW and OSSTF. These are other unions that have members who are municipal employees and who had an opportunity to come to speak to the committee in the hearing stage after first reading.

Interestingly enough, in many cases, at least the employee groups had a very similar perspective, first of all, on where the bill came from, how we got to here, how we got to the hearings process, how we got to the committee process, but also why it was important to be there. It was an interesting dichotomy, because the workers all agreed, bar none, that they have been asking for reforms to OMERS. They have been demanding that the government deal with making OMERS autonomous, making OMERS separate from the oversight of government.

In fact, the province of Ontario really has very little to do with OMERS. They're not a direct employer that pays into the plan, but at this point, until this bill or some form of it comes into effect, they do actually have a huge amount of say over the OMERS plan in terms of the OMERS board and the current structure.

All of the employees agreed, but it was interesting that on the other side, all of the employers agreed as well. The municipalities had a certain perspective, but one of the things the municipalities said was that they didn't know where this was coming from. I don't know how many of them said, "Nobody wanted a change to OMERS. This came out of the blue. Nobody was even asking for it." That becomes the crux of the issue when we look at some of the structural decisions that the government has made around how OMERS is going to operate into the future should this bill pass in its current form. I'm going to speak to that a little bit more.

Ultimately, what the OMERS bill, Bill 206, does is allow OMERS to grow up. It allows it to kind of get out of the house, stand on its own two feet, its own two legs, and be managed and overseen by the very people who are funding and paying into that plan. In that regard, in that instance, it's an excellent thing to happen. I would say that many plan members agree it's about time this happened. It's about time the government got OMERS out from under its wing and allowed it to stand on its own two feet. But the issue becomes, how did all that occur? How did that come to pass?

During the hearings, unfortunately, or fortunately, we learned that there was some considerable consternation around how that occurred, about what the process was. In fact, I can recall that when the bill was introduced, I stood up after responses to ministerial statements and indicated that I, at least, was hearing from some stakeholders that it wasn't good enough to rely on some old work that was done back in the year 2000 that many stakeholders weren't supportive of at the end of the day. Yet the minister brings forward Bill 206 and says, "You know what? We built this bill around the consultation in the year 2000." Unfortunately, that foundation was a bit

rocky, and I'm not sure the minister recognized how rocky that foundation was.

We heard about that in the hearings. We heard some significant concern that it was a poor start to the process. What many have called for—I have some direct quotes that I'll share with you in a moment—is that it should have been a separate process, a process whereby all stakeholders get together and kind of hammer out the details. Interestingly enough, at least on the plan members' side, a lot of that work was done.

If you go through the hearings and some of the Hansards on the hearings, you will see many of the employee groups supporting the initiatives and desires of those other groups. I think particularly of the issues around supplementary agreements for police and fire, and some of the details around the caps, for example, that existed initially in the bill, and how the removal of those is important. There's much support from other workers for the principle of removing these kinds of caps on pension contributions.

Unfortunately, the process to get to the bill was one that people were not necessarily supportive of. I wanted to read particularly from the Ontario Nurses' Association submission, because I think their submission was one that really highlights what the problem was with the process. They say the "stakeholders or sponsors of the plans establish their government documents and instructions in this manner," meaning the ones that have already been made separate, that are already standing on their own, ones like HOOPP, OPSEU, and the colleges of applied arts and technology pension plan. These plans have already been separately put together, and it's the sponsors of those plans that put together their own governing documents.

If you're grown up enough to not be under the wing of government, the principle is that you should be grown up enough to have the sponsors sit down and hammer out what their governing documents and structures are going to be. However, the government chose not to do that. ONA is saying, "We urge the Ontario government to require OMERS sponsors to negotiate its design, with appropriate facilitation, if required, and consultation with OMERS staff, to the extent requested by the sponsors. ONA believes employer and plan member representatives should be appointed to the negotiating process by their respective principals. In the case of plan members, these principals would be the unions and any associations representing non-union employees and retirees, former members," and then on the other side would be the municipalities. That would be the other sponsors.

I have to say, that wasn't done. I think one of the stakeholders called it setting a table. Instead of setting a table to have that dialogue, to have that discussion, and use that table as a process by which a bill would be produced, the government decided to rely on this other process that was not necessarily supported by all the stakeholders as a building block to what ends up, as we saw in the process of clause-by-clause, as a very shaky foundation. I call it a shaky foundation because we know

that the people who came to speak at the hearings had some significant concerns.

So while we had a bill itself that we were dealing with in the hearings, Bill 206—I think it's about 40 pages, if I'm not mistaken; it's 30 pages, a 30-page-long bill. We get to public hearings, and then we get to clause-by-clause, which is the time when amendments can be brought forward. Lo and behold, there were 110 pages of amendments.

I know we New Democrats tabled a number of amendments. I think we tabled some 40-odd pages of amendments ourselves, and the government side tabled a significant number of amendments.

1620

Now, that's not necessarily a bad thing. I think that when members have been speaking in the House on this particular bill and talking about how appropriate it is that the bill went to committee after first reading, the number of amendments indicates exactly why that was necessary. I read the parliamentary assistant's comments in Hansard, and it's true that it's not easy stuff. It's a very complex issue. There are many, many stakeholders, not always of the same opinion, and pension law is not an easy thing to deal with. But what we ended up doing is spending considerable time in committee dealing with some of the amendments that needed to come forward to try to deal with this very, very complex bill.

What we ended up doing, I think, is acknowledging that although it was a long time coming, it unfortunately still has a long way to go. I'm pleased—my understanding is, anyway—that the government is prepared to go to another set of hearings on this bill. Because although a number of these amendments were passed by the government, there are still stakeholders who have considerable concerns about what remains in the bill.

The first one that I think is a major issue—again, it speaks to the support that all of us in this House have for police, fire and ambulance workers or paramedics, around their opportunities for supplemental benefits and, I think, supplemental plans. I think we would all agree, and as far as I know, all the worker stakeholders agreed, that that was an appropriate thing to do. But the issue in that regard is, to what extent did the government address those very legitimate desires or needs or wants of fire, police and other emergency workers, versus how the government responded to some of the very legitimate concerns or questions coming forward from other employee groups in regard to fairness and justice and the way they're being treated in the act. That is an issue I still can't fathom: why the government has not made any attempt whatsoever to address that imbalance.

The imbalance is described very appropriately in a number of the presentations, but I thought I should actually share with you some of the language that is used. I knew from day one that this was going to be an issue. But when you actually listen to the presenters and how they describe the impact these inequities would have on their opportunity to enhance their pension system, on their opportunity not to retire into poverty, I think

everybody will get a better grasp of exactly what the concern is. Basically, it's a concern around capping the contributions that can be made by certain members of the OMERS plan.

I'm going to quote directly from a letter that I received, and that I know Mr. Duguid, the parliamentary assistant, received as well, because it describes specifically the capping issue. Then I'm going to rely on a few other documents that came up during the hearings. The issue is basically this: All members of OMERS must be treated equally and have the opportunity to enjoy benefits up to the applicable Income Tax Act limits. Unfortunately, Bill 206 doesn't do that. Unfortunately, what 206 does is provide the opportunity for some workers to negotiate improvements to their pension plans up to the Income Tax Act limits, but other workers are not allowed to do that. Obviously, there's an inequity built into the legislation around the ability of workers to negotiate improvements to their plan.

This particular issue was raised by a group of workers who work for the city of Toronto, I believe. They belong to local 79 of the Canadian Union of Public Employees. In their brief, they say, "Most of our members are women. Many of them have difficult, stressful jobs. Some of our members have dangerous jobs. We represent workers at long-term-care facilities who have to deal with SARS epidemics and legionnaires' disease. We represent workers who consult people about infectious diseases. Many of our members work with people in crisis and the poor and the ill.

"The cap would apply to all these workers. It would not apply to the male-dominated occupations—police officers and firefighters. Bill 206"—and this is the technicality of the issue—"allows the maximum accrual rate for police officers and firefighters" to be rate regulated by the Income Tax Act, Canada, which is 2.33%. "Bill 206 does not allow the accrual rate for other jobs to be regulated by pension law, but instead imposes a cap of 1.4%.

"We have a real problem with this," they go on to say. "We support"—this speaks to my point about how other workers were supportive, as are all members of this House from what I can tell, of the improvements to police, fire and emergency workers. But what they say here is, "We support early retirement for police officers and firefighters. We support their right to negotiate good pensions. We do not ... support one set of rules for the guys in uniform and another for women in nursing and other uniforms. It is blatant discrimination to limit these rights to the male-dominated occupations. If the cap is legislated, the gender gap will continue to grow over time, to the detriment of women.

"It is no secret that women continue to earn lower wages than men. In Canadian society, the poorest people are elderly women. This proposed legislation will contribute to that. The government is trying to limit the pensions that our members, mostly women, can receive and it is the wrong way to go."

This is one of those issues that I'm really hoping the government is going to address when we come back for

the second kick at the can in terms of the second reading public hearings, because there is simply no excuse for it. There is no excuse for the inequitable treatment of one group of workers over another. We're not saying, CUPE is not saying, these workers are not saying, "Don't do this for police and fire." They're not even saying, "Do the same for us at a level that's the same as police and fire"—not at all. Everybody acknowledges that the Income Tax Act, the federal legislation, sets out exactly what the parameters are in terms of what you can or can't negotiate. Everyone acknowledges that police, fire and emergency workers play a particularly significant role and have jobs that are very, very difficult and physically challenging, and so we have normal retirement ages of these workers that are different than other workers. Everybody acknowledges that and supports their right and their ability to make sure that those things are acknowledged in their pension system.

Unfortunately, the government, for some reason, is not prepared to allow all of the other workers, all the other plan members, to negotiate what the cap is or what the amount is in the federal Income Tax Act for all other workers, so thereby the government has built in this discriminatory flavour in the legislation that's extremely difficult for many people, first of all, to understand, and second of all, to accept. That's a big problem when it comes to the legislation.

There's one other group that actually raised this issue. Again, I'm going to read from one of the submissions. A lot of this bill is very technical, and so people kind of glaze over and think, "Oh gosh. We're talking about this stuff, and it's really hard to understand." I think it's really important that we understand it, because only through knowing the specifics around what we're trying to get at can we hope that the government will take these issues into consideration. In fact, as we know, as I've already mentioned, my understanding is, at least, that the government is prepared to take another look at this. This doesn't have to be a partisan-type bill. It can be a bill that we all support if we can get the pieces in it that make sure that it's fair and transparent for all of the plan members.

This one is from CUPE Ontario. It says that one of the significant limitations is the cap on benefits improvements contained in section 12 of Bill 206. "That provision prohibits municipalities or local boards from making any contribution to fund a benefit that exceeds ... the following formula"—roughly 1.4% of the "employee's average annual earnings over 60 consecutive months multiplied by the employee's years of pensionable service." A notable exception to this limit applies in favour of public safety occupations, including police officers, firefighters and paramedics, but the benefits cap would apply to the vast majority of OMERS members. Again, not once was there any indication that there wasn't support for the police and fire, only that there needed to be some equity.

1630

I could go on about the other public pension plans that exist and what the rules are around them, but I think I've

made the point clear that the government needs to re-look at the cap they're putting on many of the plan members. They need to get rid of that 1.4% cap. They need to make sure that public sector workers are able to negotiate up to the maximum benefits allowed under the Income Tax Act, regardless of which occupation they come from within the municipal sector. I think people are concerned about that.

I know there are municipalities ringing all kinds of alarm bells around what this is going to mean financially, but for every benefit improvement that is made to the plan, it's not just the employers who pay into that; it's the workers as well. So there is an actual natural check and balance, a natural way to make sure the improvements are not going to be absurd or out of this world in terms of cost, because it's not just the employers who are paying into that; it's an equal contribution by employers and employees.

I asked this of the police association representatives and some of the other representatives: Do you think there is any way the system will make sure there is not a crazy, out-of-hand attempt to get huge benefit increases in a short period of time? Of course, the answer was the obvious one, which is, that can't happen because the plan benefit improvements have to be approved by the membership of the unions and the associations. That comes right out of the paycheques of those workers, so those plans have to be negotiated, first of all, within the association or the union, before they take it to the negotiating table.

That's the other point. None of these things is automatic. These plan benefit increases that will lead to contribution increases are not automatic. They get negotiated at the bargaining table with the employer. If you're going into negotiations and your union or association decides, through the process of putting together your demands for the bargaining of a collective agreement, "Instead of asking for a 9% wage increase over four years, we're going to ask for a 5% wage increase and we're going to take that other couple of per cent and ask for it in pension benefit improvements," there's another way that we're going to be able to balance out the effect that any of these changes will have on municipal budgets.

I think that's an important thing, because I don't think anybody would expect people to go to the negotiating table with these new powers and just assume that everything is going to be approved in one shot. I don't think that's the case, but unfortunately that's what some of the municipal representatives are frightening the taxpayers with, and I think that's inappropriate, to say the least.

If there is one big issue in regard to the fairness and equity pieces, it's the cap, and it's the fact that groups of workers are being treated unfairly. The Income Tax Act requirements need to be the ones that oversee or set out what the limitations are in regard to pension benefit changes.

Another big issue came up, and part of it is the extent to which the government dealt with the structure of

OMERS, if you want to call it that. Some people think that the way things have evolved is fine, that the status quo is somewhat OK, at least in the transitional period. Others think the whole ball of wax needs to be redefined. The reason for this, I think, is clear and has come up in several of the presentations. That has to do with, who are the plan members? How are they represented on the various corporations, the administration corporation and the sponsors corporation? How does the makeup of these corporations reflect the membership of the plan, both employer and employee side?

We went through some significant discussions and representations at the hearings and through clause-by-clause. In fact, some of the most onerous amendments to the act were around the structure. Unfortunately, there is still some concern over the structure. One particular plan member mentioned to me that they felt the government had answered some of their concerns by changes to the sponsors corporation but didn't do the same thing in terms of changes to the administration corporation.

The basic principle of representation by population is one of the issues that came up. Although there is some concern that that might negatively affect some large groups of workers one way or another, my understanding is that having a look at some of those figures indicates that a more representative model would be better for the workers whose money it is. That's the bottom line. We're talking about this pension plan like it's some esoteric thing, but this is actually money, the deferred wages of workers, that is put into this pension plan that they should be able to expect to rely on for a decent quality of life after retirement. That's what it's all about.

You can see how people who have a vested interest insofar as the fact that they have large numbers of members in this plan would like to see some ability to have an effect on how the plan is managed and how the plan is invested over time. That's not something that we should belabour; it's a fact that seems to be pretty straightforward. Representation by population is a basic fairness and justice issue; it's an issue that I think can be resolved if the government puts its mind to it.

I wanted to quote from one of the documents that I received in the process: "Representation by population is a basic democratic right within any social arrangement. The government has accepted its application to the composition of the sponsors corporation through the process of public hearings and subsequent amendments. However, this principle has not been applied to the administration corporation, where CUPE members, in fact, remain seriously underrepresented, and this is especially problematic since the administration corporation has the real authority under Bill 206." That's the next place I wanted to go in regard to Bill 206, the issue that came up time and again: How do we make the new OMERS animal responsive and responsible to the people who are paying into it, particularly the people who are going to be relying upon it in retirement?

This is the issue of governance, and I think it's fair to say there was a fundamental disagreement at the public

hearings and then in the process of clause-by-clause between what New Democrats were saying and what other members of committee were saying. We were making a clear point that the way that the government has decided to go, the corporate model that they've decided to undertake for OMERS, is not the one that provides for the greatest responsiveness and the greatest amount of oversight—the most amount of accountability, shall we call it, for the plan members. That is disturbing. It's disturbing because unfortunately many of the presenters, particularly on the plan members' side, spoke to concerns around what's been happening with OMERS over these last couple of years.

There were a couple of presentations that spoke to the accountability of the governance model that the government has decided to put together for OMERS. I wanted to read from them, because the concerns of the people who are going to be most affected by this legislation, the hundreds of people, of workers, who are plan members—I didn't actually name the kinds of workers we're talking about. I might just take a minute to do that. I think I mentioned the different unions that are representing the different workers who are plan members of OMERS whom we've already acknowledged. I see some of the fire and police representatives here tonight. The fire and police: obviously, firefighters and police officers and ambulance workers, but did you know that even some of your municipal councillors are actually plan members with OMERS, and clerks and managers in municipalities? They're people who work in public health, homes for the aged, social services, parks and rec, housing, court services; they're child care workers, ambulance dispatchers, city planners, hospital workers, building inspectors, shelter and hostel staff, public health nurses, water and sewage treatment employees, cleaners who work in numerous locations throughout the cities, including cleaners in places like police stations and fire halls. So there are numbers and numbers of people. In fact, when you're living in a city, probably not a day goes by when one way or another you haven't bumped into a person whom this legislation is going to be directly affecting.

1640

On that note, I'll go back to the governance issue, back to the issue of what's been happening with governance. There needs to be some context in terms of what the concerns are around governance. During the public hearings process, there was a sense that what was being asked for by some plan members, by some of the stakeholders, was some inappropriate level of interference by the sponsors corporation in regard to the admin corporation. Again, just to make things a little bit clearer, the sponsors corporation is the policy organization. It sets out the various plans and what they look like and makes recommendations or actually makes decisions around the implementation of supplemental benefits and those kinds of things. The administration corporation, on the other hand, is the implementing body. It does all of the implementation and also makes all the investment

decisions. It provides advice and information and actuarial advice to the sponsors corporation in regard to the health and well-being of the plan and plans.

Unfortunately, the experience around what has happened in recent history with OMERS has not been a positive one, in many ways, from the perspective of plan members. I thought I would take a piece from school board workers. The Ontario school board workers coordinating committee put together a brief, and I thought they had the best kind of description that indicates why there is this problem with, this concern over, the government's decision not to allow for the oversight of the administration corporation by the sponsors corporation. Here's what they say:

"My members look at what is going on with the Borealis fiasco over at OMERS and the current deficit in the plan, and the situation at Stelco, and they are very concerned about the future of their pension plan.

"The administration corporation is not generally accountable to the sponsors corporation, nor does the sponsors corporation have any power to compel the administration corporation to account for its administration of the plan or its management of fund assets. We want to see the mandate of the sponsors corporation significantly enhanced to include oversight of the activities and decisions of the administration corporation, and that the sponsors corporation be given all necessary powers to ensure that such oversight is effective."

If people have a chance to look through the Hansard of the committee debates of the clause-by-clause and the amendments that I tried to bring forward to make that accountability happen, you will see that there was a lot of talk about separately defined rules. They didn't want to have interference between one corporation and the other and it was going to cause confusion. But the whole thrust of this initiative is not to cause confusion at all; it's to do the exact opposite. It's not to interfere but it's to shine a light, if you will, on the activities of the administration corporation, to make sure there is some accountability of the decisions that are being made and even of the assumptions they are using to make the decisions about investment of the planned assets in particular.

Another organization makes the same point around oversight, if you want to call it that, or the accountability, of the administration corporation for the sponsors corporation. This submission comes from the CAW, as a matter of fact:

"First, Bill 206 makes no provision for the administration corporation to account for its administration of the plan or its management of fund assets. The administration corporation is compelled simply to report to the sponsors corporation on decisions which have already been made to provide administrative and technical support. Nor does Bill 206 require the administration corporation to provide full and timely information to the sponsors corporation."

It goes on to quote sections of the act. It says, "In essence, the administration corporation is not generally accountable to the sponsors corporation. This is not conducive to achieving good plan governance. It is also

problematic given that the existing OMERS board becomes the administration corporation for the first year of the act. There is currently an environment of mistrust with the OMERS board relating to ongoing accountability problems over governance issues, investment decisions and information sharing."

So again, there are problems here that the government has not yet addressed that we are hoping will be addressed in their second kick at the can when it comes to hearings after this second reading debate.

"In order to instil confidence that the administration corporation is acting in the best interests of plan members, Bill 206 ought to be revised to clearly state that the fiduciary requirements under the Pension Benefits Act "and common law fiduciary obligations apply to the administration corporation."

In other words, it's not about taking control; it's not about obfuscating whose role is what; it's not about adding confusion. It's exactly the opposite: It's about shining a light on what it is that the administration corporation is doing, what they're basing their decisions on, and ensuring that there are report-back mechanisms so that the sponsors corporation has a good understanding of what the administration corporation is doing, ostensibly, with their money. It's more about accountability and transparency, checks and balances, about shining the light on what's happening at the administration level so that the sponsors corporation is fully aware, in a timely way, of the decisions that are being undertaken on their behalf.

I think I've covered that one off. I have many other comments that people have provided in regard to the governance issue, particularly the issue of oversight, accountability and transparency.

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford): What are we having for dinner tonight?

Ms. Horwath: I don't know; what are you having for dinner tonight? It's getting to be that time, isn't it? It's a quarter to five. I'm getting a little bit hungry. I'm getting a little bit thirsty, too.

One of the other things that, I think it's fair to say, shocked—and I don't think that's too strong language—some of the stakeholders was the government's decision to table an amendment that requires a super-majority on the sponsors corporation to approve specified changes. I have to say that it came as an extreme shock. I don't think that, through any of the public hearings, did any of the plan members raise that issue. I certainly know that some of the municipalities did, so maybe this is the government's—

Interruption.

Ms. Horwath: What do we have going on up there? Have we got some jingle bells or something going on up there? There's some kind of music going on there, eh? It's the song and dance happening up there.

I could tell that people were more interested in the song and dance up there. I was a little bit worried. It's a little bit troubling for the member who happens to have the floor. Nonetheless—

Interjection.

Ms. Horwath: Oh, you don't want me to start dancing, believe me.

Nonetheless, the issues around the supermajority—it's an interesting thing. Many of the municipalities came in and said they wanted to see a supermajority. What is a supermajority? A super-majority is basically this: Instead of requiring a simple majority of people present at a meeting to make a decision—so if 10 people are present, you have to have six out of 10 to make a decision—the government is requiring a supermajority. Two thirds of the people at the meeting have to vote in favour for any particular decision to pass. This is around specified changes in the plans.

I made the point at committee, and it's a point that I think is instructive, that what the municipalities were saying was that huge decisions are being made in terms of supplemental plans or plan benefit improvements, that because it's such a significant and onerous decision that shouldn't be taken lightly, we should require this super-majority process because it's just too important a system and there are too many people it's going to affect, whether it's municipalities, taxpayers or plan members. It's just too onerous an issue on a planned benefit improvement to have it addressed by a simple majority vote.

Give me a break. Every day of the week some municipal council or some municipal committee is meeting and on a regular, straight majority process is deciding all kinds of onerous decisions, all kinds of serious decisions at the municipal level. To say that a supermajority is required on the sponsors corporation for these kinds of decisions is almost insulting.

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The bottom line is, and let's acknowledge, who is represented at the table of the sponsors corporation. It's not everybody with the same kind of perspective. I mean, there are employer representatives there and there are employee representatives there. So the likelihood of meeting this supermajority requirement is significant. What it pretty much builds in is the fact that none of these things are even going to be approved, because you're not going to be able to get to that higher level of requirement for a supermajority.

To say that people were shocked that this was brought forward is understating the obvious. It was something that wasn't expected at all. I'm hoping that the government takes the opportunity to withdraw this effort, just like they took the opportunity having mistakenly or accidentally or for whatever reason suggested that perhaps the plans should be able to be moved to defined contribution plans. That was one of the first things that the government did. It took them just until the next meeting of the committee to realize their big faux pas there, that in fact the government of the day doesn't support a movement to defined contribution plans. Thank God for that. I think everybody nearly fell on the floor when they saw the government looking toward allowing for defined contribution plans with OMERS. Of course, that's not in the best interests of workers, it's not in the

best interests of plan members, it's not in the best interests of making sure that people can retire with a decent standard of living. People in this House will know that they're not happy about their own pension plan, a defined contribution plan that doesn't provide for assurances that once you retire you actually do have a defined benefit that you know you're going to be able to obtain upon retirement. That's the difference. With defined contribution, you put your money in the market, and depending on what happens to it through your RRSP, your mutual funds, whatever, at the end of the day, whatever you end up with at retirement is however your investment decisions are reflected after 20, 25, 30 years of being in the market. That's just not the appropriate way to deal with secure pension retirement plans for workers.

Again, similar to that faux pas where the government inadvertently, or for whatever reason—Lord only knows—put that silly amendment in and quickly took it away, hopefully they'll quickly take away this idea of having a requirement for a supermajority on the sponsors corporation in regard to specific changes to the plans.

The need to make sure that we go to public hearings, we go to another cull, if you want to call it that, another look at where we ended up with this legislation, is going to be extremely important. I'm really hopeful that the government will undertake some of the changes that are being suggested here in the debate, but also with the stakeholders. I have to give credit where credit is due, and it's my understanding that the government and the staff are continuing to work with the stakeholders to try to find ways of accommodating their concerns and their issues. I think that's extremely important, because as I said at the beginning of my remarks, it's a matter of acknowledging and recognizing that in fact it's the plan members who are going to be most affected at the end of the day by what the government passes in regard to Bill 206, what kind of system they end up with for their pension system. We want to make sure that we do the right thing by those very dedicated workers, whether they be police officers in our communities, firefighters in our communities, public health nurses in our communities or the people that we see working in the hallways and the council chambers as we participate in our municipal level of government.

There are a number of other issues that are outstanding in regard to the bill. I thought I would raise them in a brief fashion, not to belabour any of them.

There are a number of technical issues. For example, if we have supplementary plans that are going to be negotiated by various groups of workers, how do you ensure that the other plan members are not inadvertently paying for maybe the administration of those plans or other pieces of those plans? Again, I think the government acknowledged an agreement. I think everybody agrees, in fact, that there is a requirement to ensure that there's no cross-subsidization, if you want to call it that, of one group of plan members to another group that is negotiating supplementals. The way that occurs is a

technical issue that I think needs a little bit more work. I'll acknowledge that the government is attempting to come up with ways to address the potential for cross-subsidization of one plan with the supplemental plans. So that's an important piece that's still outstanding.

There are other little issues—not little issues; I don't mean to belittle them at all—other more technical issues around ensuring that paramedics get equal footing in regard to their ability to negotiate their supplemental plans or to negotiate their factor 60. I don't think that has happened yet but I expect that that's going to be coming forward, and I hope it's taken care in the next cull or the next iteration of this bill.

I understand also that the government is acknowledging a need to deal with the solvency requirement issue. My understanding is that the minister has indicated in a written format to some of the stakeholders, at least, that this is something they are looking at. Unfortunately, it's not something that is to be addressed in this particular bill but is going to be required through amendments to another piece of legislation.

Mr. Speaker, I believe I have time left on the clock.

The Acting Speaker: I have to inform the House before 5 o'clock that, pursuant to standing order 37(a), in my capacity as member for Waterloo–Wellington I have given notice with respect to my dissatisfaction with the answer to my question given by the Minister of Municipal Affairs concerning the inadequate response of the government to our tornado disaster in Waterloo–Wellington. This matter will be debated today at 6 p.m.

I return to the member for Hamilton East. I'll give you some extra time.

Ms. Horwath: Thank you, Mr. Speaker. That's actually not necessary. I didn't realize that was something that needed to be done. I'm certainly glad to give you the opportunity to put on the record a call for a late show with the minister. In fact, I'm going to be doing my first one of those this afternoon as well and I'm quite looking forward to it.

I was starting to say that there are issues around the solvency funding requirement, and my understanding is that the minister has acknowledged that that's something they're going to address or are prepared to address, but it can't be built into this legislation. Apparently, and the parliamentary assistant can correct me if I'm wrong, it is likely to be addressed through another venue. It is my understanding that the more appropriate place for it is through amendments to the Pension Benefits Act. If that's the case, then we'll deal with that when the time comes.

If there's a way to sum up what some of the major issues are with the bill, I think the first thing to say about it is that it has been long awaited. It's going in the right direction. It's certainly something that everyone would agree is the appropriate thing to do, which is to take OMERS out from under the administration, out from under the responsibility of the provincial government and move it to an autonomous place where the plan sponsors are responsible for it.

Unfortunately, there are some concerns about not only how we got to where we are now but what that animal looks like at the end of the day; what Bill 206 started off looking like and what it looks like now, after the amendments that happened in clause-by-clause. Unfortunately there are still a number of issues that need to be resolved if we're going to get to a place where I think we would all prefer to be, which is where the most important stakeholders, those who are members of the plan, those who will rely on these pension benefits when they retire, are largely, in a vast majority way, satisfied with the outcome of the scrutiny that we're giving this bill.

1700

I'm going to, in a brief way, recap some of the issues that I raised in my debate tonight, because I think it's important that although it's a complex bill and it's a bill that's got a lot of details in it, there are maybe four or five major pieces that I think we need to acknowledge need work. However, before doing that, I wanted to once again reiterate the support that New Democrats have for, first of all, getting OMERS to be autonomous, but also for making sure that our public safety workers—our police officers, our firefighters and our paramedics—are able to negotiate supplemental plans, are able to negotiate them to the maximum that's allowable under the Income Tax Act now. However that might change in the future, who knows? It's an absolute, fundamental right of workers to be able to negotiate improvements to their pension plan.

In fact, if we ever as a society want to get to a place where we have people retiring not into poverty but into a decent standard of life, where we want to see the eradication of poverty of our seniors, where we want to see that people in retirement don't have to continue to work until they're 75 or 80 years old, then we can only do that through improvements to our pension plans. This is, I think, one step in the right direction to make sure that our emergency services workers are given that opportunity.

Now, having said that, it brings up the issues that I wanted to reiterate, and those are the problems with the bill that still exist and that I am sincerely hopeful—sincerely hopeful—the government is prepared to address. First and foremost is the issue of the extent to which emergency workers are able to obtain their rights to negotiate supplemental agreements. In fact, the actual requirement of supplement agreements to be able to be addressed under this bill has been built into the legislation—again, something I can support without a qualm.

However, unfortunately, there are still large numbers of workers, large numbers of plan members who are not going to be able to negotiate improvements to their pension plans, are not going to be able to negotiate up to the maximum that's allowed under the Income Tax Act. It's a fundamental inequity, a fundamental inequality, a fundamental injustice that the government, for some reason, has chosen to build into this act, and it's simply not acceptable. It's simply not acceptable that a whole bunch of workers—and unfortunately, the statistics will show that they tend to be the lower-paid workers, tend to

be largely women workers who are not going to be able to negotiate up to the maximum that's allowed under the Income Tax Act. It's simply wrong, and the government needs to fix it.

I would reiterate that there are natural human behaviours that would prevent the kinds of wild fluctuations and wild increases that have been suggested in some quarters. That's simply not going to happen, because human nature is going to keep a cap on the pocket-book of plan members. I'm sure anybody who negotiates collective agreements will know that plan members are not going to be just opening their paycheques and saying, "Yes, take another \$300 a month off as my pension contribution increase." It's simply not going to happen in any swift and onerous way.

That's a natural way that's going to prevent from happening the huge increases that are being suggested, because they have to be negotiated not only within the organizations as part of the collective bargaining strategy, but then they have to be negotiated at the bargaining table as well. There's another layer of checks and balances that comes in there, because in fact the likelihood of the compensation package staying the same and being wages at this level, and then on top of it, all the extra, perhaps, pension improvements are not likely to happen. People generally are reasonable. They will generally acknowledge that there's a time frame over which these things are going to happen and so the compensation package—the compensation demand, if you want to call it that—across the bargaining table will likely be adjusted within.

Certainly, there are no guarantees that's going to happen, and I'm not saying there are guarantees that that's going to happen. I have sat at negotiating tables before and I know how the give and take works, particularly around compensation and other improvements to the broader compensation package. So it's not just wages; it's benefits, health benefits and other issues that will all come into the mix. I think that's an extremely important factor that we have to acknowledge. The inequity around the caps is a big issue.

Representation by population: The structure of representation and how the government has decided to address that with the sponsors corporation and, unfortunately, not with the administration corporation, remains a problem and a concern for many plan members, and then subsequent to that, the extent to which the administration corporation is accountable to the sponsors corporation.

I'll reiterate: It's not a matter of the sponsors corporation interfering with the work of the administration corporation. It's a sheer matter of accountability, of building in some accountability and transparency. I say "transparency" because many of amendments I brought forward were ones that specifically addressed timelines for reports and information to be shared. It's not good enough to say you need to share your actuarial information with the sponsors corporation or you need to notify the sponsors corporation after a decision has been taken, but it narrows the time frames so that when the

information is provided, at least it's provided within the context of some kind of time frame that allows for perhaps a request for further information, reconsideration or other kinds of checks and balances that currently don't exist.

Some would say that this causes a blurring of the lines between the admin and the sponsors corporations. Others would say, and I would agree, that it's a matter of shining a light on what the administration corporation is undertaking, because ultimately—and I'll state it because it's obvious, but sometimes we forget—we are talking about the pension benefits, the pension assets of these workers. We're talking about pensions. I come from the city of Hamilton. You can bet the pension issue is a serious one in my community overall. In fact, one of the submissions I quoted from today even acknowledges the Stelco issue and the pension concerns that are facing steelworkers in my community.

In this particular bill, of course, it's public sector workers, but the principle remains the same: It's their pension fund that is being invested, decisions are being made around those investments, and it affects those workers not only today but into the future in regard to the security of their pension funds.

The other issue is around the super-majority and whether or not it's reasonable, whether or not it's appropriate and whether or not it's something that should even be considered: to require a super-majority for decisions to be made. A super-majority at the sponsors corporation, I think, is way out of whack with what other bodies with great responsibilities are required to do, so it's inappropriate to build that in here.

The ongoing technical issues around making sure there's language that appropriately prevents cross-subsidization and that also deals with the paramedics and a normal retirement age of 60—I don't think that's been dealt with yet. Once again, the solvency issue will be dealt with, my understanding is, through different legislation.

But the bottom line is that, yes, Bill 206 needed to come forward, or at least some iteration of getting OMERS out from under government control and into the hands of the plan sponsors was extremely necessary and has been a long time coming. Many people would say that's the case. Unfortunately, New Democrats won't be able to support it and we sorely want to, because we think, in principle, that it's the right thing to do. But we're not going to be able to support it if we can't make sure that the government is prepared to make some of these fundamental changes in regard to equity around the 1.4% cap and issues around ensuring that the transparency and accountability are at least addressed, whether they're addressed in the way that we've put forward so far or addressed in another way, based on some of the ongoing discussions that I know the government is having with some of the stakeholders.

I understand that there's likely another kick at this can some time in January, maybe February, where the government is going to come back to public hearings on

this. I look forward to that, and I look forward to government amendments addressing the concerns that New Democrats are putting on the table, because really, now is the time to move forward with this initiative. It just has to be an initiative that all the plan members can feel comfortable with and supportive of.

1710

The Acting Speaker (Mr. Joseph N. Tascona): Questions and comments?

Mr. Brad Duguid (Scarborough Centre): Thank you very much, Mr. Chair. I look forward to debating with you later in the evening when you leave the chair.

I want to thank the member from Hamilton East for her comments today. I want to thank her for the good work she's done in committee. We don't agree on all the points, but this has been a difficult issue, a complex issue, and the member has done very well in terms of getting an understanding of it and putting forward some positions taken by those she advocated for at committee. I thank her for her good work and look forward to a couple more days of hearings, likely in the new year, as we move forward to get this done.

I want to thank a few people, a couple of whom are here today: Bruce Miller, CEO of the Police Association of Ontario; Fred LeBlanc—

Applause.

Mr. Duguid: Go ahead.

Fred LeBlanc is the Ontario Professional Fire Fighters Association president. I see my friend Ed Kennedy is here as well. Ed is with the Toronto Professional Fire Fighters' Association. They have worked for over a decade to get these changes done. I want to thank them for the good work they've done over the years with all levels of government in advocating on behalf of very noble professions: firefighters, police, and indeed our EMS professionals.

As chair of community services and works at the city of Toronto, I had the opportunity to work very closely with our firefighters at the city, and with our police services and our EMS workers. I can tell you that the work they do is incredibly difficult. I've had an opportunity to go out with them on a number of different occasions. It is a very special kind of job that not anybody can do. That is why we make no apologies for giving those professions special consideration when we look to the need to retire at a younger age. I think it's something that was shared by probably all members of this House, so I want to thank them for the good work they do and for their input on this particular legislation.

Mr. Toby Barrett (Haldimand-Norfolk-Brant): I followed the presentation by the member from Hamilton East. I watched it on the monitor in my office. She certainly has an all-encompassing grasp of issues relating to pensions. I've certainly received information from municipalities in my riding. I received a letter from the county of Norfolk. They start off by saying, "Municipalities are concerned that the province is rushing to reform one of Canada's most important pension funds without a reasonable understanding of the potential reper-

cussions and without sufficient regard to the best interest of employees, retirees, employers, communities, taxpayers or Ontario's economy."

I'm heartened to hear—I think I heard it said—that the government is considering more hearings and more deliberation on this. I think that is, just given the letters I've received not only from Norfolk county but also Haldimand county and the east side of my riding—a county that I share with MPP Tim Hudak. They've indicated to me in a letter, "On behalf of our shared constituents, our employees and retirees, and with the full support of our municipal peers across Ontario, we ask that you ensure that the government has done its homework before proceeding with the devolution of OMERS. Specifically, we ask that you request actuarial analysis regarding the potential cost of the proposals within Bill 206, that you call for adequate due diligence to protect the long-term financial stability of the OMERS pension plan, and that you ask the Minister of Municipal Affairs and Housing how public interest will be protected in the future if the bill continues to rest on simple majority and mandated and binding arbitration."

I communicate that to this forum.

Mr. Gilles Bisson (Timmins-James Bay): I'm going to have a chance to speak to this legislation a little later, and I've got some things I would like to put on the record on behalf of those from northern Ontario and other parts who are members of the OMERS pension plan. I just want to say for the record, to the comments made by our critic, which I thought were well thought out and well reasoned, that there are a couple of really basic problems that I think the government could respond to by way of the amendments that have been put forward. I think that would lend itself well to having this legislation passed for the benefit of everybody.

I don't understand, quite frankly, why the government takes the position that they want to cap what people are able to negotiate at the bargaining table. I understand there's legislation that says you can't go more than 2% federally, except for emergency workers, who are allowed 2.3% or 2.35%—

Interjection: It's 2.33%

Mr. Bisson: It's 2.33%? OK. But why would the government want to limit workers who are currently not able to get up to 2%? It seems to me that free, democratic bargaining means that you go to the bargaining table. If the bargaining agent, whoever it is, decides they want to try to negotiate a better benefit for retirement as far as the percentage for every year of service they get when they retire, why should we exclude workers from being able to do that? I don't understand.

I support what the federal government did in order to increase the 2% or 2.33% for emergency workers. I would argue, why don't we at least allow in this legislation workers, outside of emergency workers, who are under OMERS to get to at least 2%? I think that would be supported by firefighters and others, who would see it as perfectly reasonable.

The other thing that I think is a bit sad is the whole issue of supplemental plans. Again, why are we limiting

that? It's almost as if the government is saying, "We don't want people to go to the bargaining table and negotiate a fair collective agreement when it comes to benefits for their members." I think that's wrong. We should allow that to happen at the bargaining table. If the employer can pay and the union is successful in negotiating, so be it. I think we should support those amendments.

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): I too am glad to join in the debate for just a couple of minutes. I'm pleased to hear the degree of concurrence from the member from Hamilton East, with respect to her leadoff speech, and that there's a high degree of consensus, in spite of the fact that obviously there are still some areas where we differ, at least at this point in time, with the New Democratic Party.

I want to speak briefly, in the minute and a half or so, about the maturity of municipalities and community-based organizations that are represented under this legislation. Not so long ago, most municipalities in the province, except Toronto, Ottawa and maybe Windsor, were relatively small. I know that where I come from, it wasn't that long ago that the population was 30,000 people. Now it's almost 100,000. There are lots of municipalities like that. Thus, the municipal sector and the school boards that are represented, and will be represented under this legislation—they're currently represented with OMERS—are mature organizations. It really is time that government took the opportunity, in consultation and through legislation, to move and divest the ownership and responsibility to those who pay into the plan and to those who benefit from the plan. I'm pleased that we're taking the action we are through consultation and the legislative process.

I want to comment, in the last 30 or so seconds, on the emergency workers matter. When there are queries as to why they're getting different treatment or sort of special treatment, you only have to look at the type of work they do. You have to look at the injury potential by virtue of what they do, the 24/7, 365-days-a-year, inclement weather conditions, the heat if it's fire, the exposure to illness from others, the potential to be exposed to abuse and violence. You begin to understand that emergency workers don't necessarily have the capacity to work the same range as others might.

The Acting Speaker (Mr. Ted Arnott): I believe that concludes the time for questions and comments. I'll return to the member for Hamilton East, who has two minutes to reply.

Ms. Horwath: I want to thank the members for Scarborough Centre, Haldimand–Norfolk–Brant, Timmins–James Bay, and Pickering–Ajax–Uxbridge for their comments.

I want to finish by saying Bill 206 was a baptism by fire for me. I had two bills going at the same time. Bill 206 was one; Bill 210 is the other. To go through the process of a bill that was so complex, that required over 100 pages of amendments and that was very challenging in terms of making sure that all stakeholders had a voice—I have to say that a lot of the stakeholders, at least

from the plan members' side, had done a lot of that work in advance. They had worked together a great deal in advance on how this bill was going to affect them and had come up with positions of solidarity on most of the issues. I have to congratulate all of them for doing that work because I think it was extremely important. It certainly helped me to try to figure out where everybody stood and where the issues of contention still are.

1720

The government talks about how important it was to make it autonomous, and it should be autonomous, period. That means it should be divesting OMERS without tying the hands of the plan sponsors in terms of the kinds of policies and changes that they want to see made. That's the bottom line. Unfortunately, the government has decided to tie the hands, and I again want to acknowledge that not only do I agree, particularly with the member from Pickering–Ajax–Uxbridge, around the acknowledgment of emergency workers and firefighters and police in terms of their uniquely difficult and threatening jobs, but I think I also have to put on the record that that work is acknowledged through the federal Income Tax Act, and all we're asking is that that same ability to negotiate up to what the federal income tax allows for happens for all workers, as well as police and fire.

The Acting Speaker: Further debate.

Mr. Frank Klees (Oak Ridges): I'm pleased to participate in the debate on Bill 206. I want to bring to the floor of the Legislature the perspective of the municipalities and stakeholders that I represent. Of course, I represent not only the municipalities but the individual stakeholders who are advocating for changes that are represented within Bill 206. What I want to do, because I believe it's my responsibility as a member of the Legislature, is to ensure that whatever legislation is passed in this House in fact serves all stakeholders well, and that we ensure that the final legislation that is presented here for third reading debate has received full consideration of all of the implications, be those financial implications to municipalities, to the taxpayers or to the employees who would be beneficiaries under this pension plan.

You know, and it's been mentioned, that we're dealing here with what is the second-largest pension plan in Ontario, overseeing some \$35.7 billion in assets. It's a substantial fund that has also been extremely well managed over time. To the credit of those who have oversight of this pension fund, it has done extremely well for its beneficiaries through some very difficult times. It hasn't been easy, in the Ontario economy, over the number of years to ensure that the beneficiaries are properly served.

I'd like to start off by reading into the record a resolution that was sent to me by the town of Markham. The town clerk, Sheila Birrell, forwarded this to my attention personally and asked that we keep this resolution in mind as we deliberate on this bill. I won't go into all of the details of the resolution, but it does make reference to the fact that "OMERS employer and employee members are facing an increase in OMERS contribution in 2006 of

approximately 9% as a result of a significant deficit in the OMERS fund.” It goes on to say that the bill that is before us, that is being proposed, “includes significant, potentially costly and unnecessary changes to the governance structure of OMERS, including a sponsors corporation structure to be governed by arbitration.

“Whereas the bill would permit the creation of expensive supplementary plans to provide optional enhanced benefits that will impose new collective bargaining obligations on municipalities, the operating costs of which cannot yet be fully assessed; and

“Whereas the province has a responsibility to study the potential impact of the changes it is proposing and to share the results with employers and employee groups; and

“Whereas AMO and others have urged the government to consider the potential implications of Bill 206 and to ensure the proposed policy changes protect the interests of employers, employees and taxpayers....”

The town of Markham’s resolution goes on to make it clear that they do not support Bill 206 and requests the government of Ontario to “reconsider the advisability of proceeding with Bill 206 in its current form.”

I think what’s important here are the final words of this resolution. I don’t believe at all that, in principle, there is concern or debate about whether it’s appropriate that there should be some supplemental plans, that there should be options. There may be those who oppose the principle that workers and employers should control the destiny of their pension plan. I happen to be one who supports that, in principle. I believe it is the employees who make contributions to a pension plan and the employers who are also contributors to the pension plan, and that control of that pension plan should be vested in those participants. I don’t have a problem with that principle. In fact, I have been a supporter of moving the plan into the control of employees and employers for some time.

I think the paternalistic attitude of the provincial government, over time, is unjustified. Far be it for anyone to argue that the province knows best when it comes to managing money. If anything, it is the individual, whom I respect, who I believe has the responsibility and should have the right to make determination of how their pension funds are invested and allocated.

The operative words here in this resolution are “in its current form.” I believe that this bill needs considerably more attention. I believe the government has agreed—I think we’re going to see a motion tomorrow that confirms that we will have additional committee hearings on this bill, following the vote on this bill for second reading. I believe there are still far too many unanswered questions. In the course of debate—whether it be in committee or in debate as I have observed it for second reading—I don’t believe the minister has the answers to many of the questions that are being posed by stakeholders, by municipalities and, quite frankly, some that I have as well.

For that reason, I will be voting against this bill on second reading. I don’t believe it would be appropriate for me to simply give a nod to a piece of legislation about

which I still have significant questions and I believe many stakeholders do. What is appropriate is that we go to committee following the debate of this bill that we’re engaged in now. I trust that there will be sufficient time given to that committee debate so that we can deal with these issues in a substantive way and be able to provide assurances to all of the stakeholders.

I say to members of the pension that I believe we have a responsibility as legislators who now are tasked with the responsibility of determining what the future of this pension fund will be, its oversight, and who, at the end of the day in terms of its governance structure, is going to have the ability to make substantive changes that may come forward in the course of the future deliberations on this.

1730

We’re dealing with multi-billions of dollars of pensioners’ money. This is not our money. These are funds that have been contributed into this plan for many years, and individuals within our constituencies are depending on the stability of this fund, on the financial success of this pension fund, on the surety that this fund is not only here today, but is going to serve members of this pension plan for many years to come. So it’s inappropriate for us to simply make a decision to support this legislation because in principle we believe it’s the right thing. The reason we’re here is that we have to go beyond the principle and ensure that the details of the bill support the principle and are in fact sustainable. That’s what this debate is really all about.

I have concern when I read from people such as Roger Anderson, president of the Association of Municipalities of Ontario, someone for whom I have a great deal of respect, someone who has responsibility to make decisions on behalf of taxpayers and someone who has obviously earned the respect of many heads of municipalities across the province because he now serves as president of AMO. I want to read this into the record so that members understand the gravity of the concern that has been expressed, and for my constituents in York region so they perhaps can more fully understand my concern and hesitation at this point in time and why I’m calling on the government to give the needed time for additional committee hearings.

Mr. Anderson states as follows: “AMO,” the Association of Municipalities of Ontario, “maintains that the province of Ontario is needlessly rushing in to reform one of Canada’s most important pension funds. A wholesale restructuring of something as complex and as important as the OMERS plan ought to be carried out by qualified pension experts, who are few and very far between. We can verify that because we had to find them to prepare any credible analysis of this bill. It was AMO, as a matter of fact, that had to ask OMERS to undertake a financial analysis on matters contained in the proposed legislation. No one else seemed interested in this, including the government, and not even the unions....

“This committee has given a bill that would fundamentally transform the \$36-billion OMERS plan only eight hours of public consultation.”

To the credit of the government, they have agreed to extend that consultation period, and we're pleased that the government has agreed to do that. But the point Mr. Anderson is making is that we can't rush into it. We need the information available to us. Municipalities need it so they can fully understand all the implications and the subsequent costs to them, as do we as members of the Legislature.

Mr. Anderson goes on to say, "If the bill moves forward to third reading, as we anticipate, under these circumstances, without being returned to this committee for meaningful stakeholder consideration and input, this government and this committee may have a great deal to account for. I suggest that the onus is on you to get it right," and he's speaking, of course, to members of the committee and to us. "The costs are staggering for municipalities."

That's a warning from someone who has a fiduciary responsibility in his role as a regional chair and a fiduciary responsibility as well in his role as president of the Association of Municipalities of Ontario.

I want to make it very clear that I'm convinced as well that those who have a responsibility, whether it be individuals in positions of responsibility in unions whose members are members of this plan, take this fiduciary responsibility very seriously too. I'm certain that they, as well, want to ensure that the overall stability of this plan is underpinned and assured, because it's one thing to get what you want today, but if it's not sustainable, they will have to answer to their members, and none of us wants to be in a position, five or 10 years out, of looking back on a decision that was made by this government on this day with regret, saying, "We made a mistake. We didn't take enough consideration and we didn't consider the implications."

To keep the debate focused on my concerns relating to York region, I received some correspondence just yesterday in terms of an analysis that was done. If Bill 206 were to pass in its present form without additional amendments or consideration for some of the financial implications, the costing that was prepared would translate into significant tax increases for ratepayers in York region. The numbers I have here indicate that, per household, the increased taxation would be about \$33 per average resident.

I'm willing to hear whether there are some differences of opinion, and that's why I'm saying we need some more time. That's a lot of money; that's substantive. It may be, as well, that the residents of York region say, "That's fine, and we're willing to pay that additional tax to afford the flexibility this legislation would allow the plan to have," but I don't know that today. That's why we need some additional time, so that we can in fact investigate the implications for the individual municipalities, translate that into implications in the near term and ensure we're making decisions in a fiscally responsible way.

One of the other concerns I have, and I think it's legitimate and I don't believe we have the answer to it

yet in its current form, is the question of governance and oversight. When you have a large plan like this with a number of employee groups, what we can't allow to happen is that any single employee group is held hostage or overridden by a more powerful group of employees. I certainly agree with the principle that employees and employers should have control over their own pension funds. I also want to ensure that every member group within that pension plan has some safeguards built into the governance structure to ensure that the decisions made at the table that may negatively affect them—that there is adequate protection in place for that employee group.

All of these things can be reasoned out. My point is very simply this: I'm hearing municipalities put up significant caution, and I don't believe any one of them is saying anything negative about the membership or individuals who would become qualified employee members, that they don't somehow deserve an enhanced benefit, but it has to be done in a fiscally responsible way. That's the point of my debate. I wanted to make it very clear to my constituents and to the stakeholders with whom I have had discussions on this bill why I feel compelled to vote against this bill on second reading, why I certainly intend to be very engaged in the next process of committee hearings so we can drill down to get specific information and answers, hopefully to the satisfaction of municipalities, of taxpayers and of all stakeholders who have a vested interest in the OMERS pension plan and in this piece of legislation.

1740

Mr. Bisson: On a point of order, Mr. Speaker: I believe we have unanimous consent that we take the 15 minutes left on the clock and divide it equally between the Conservative and the NDP caucuses, and at that point, put the question.

The Acting Speaker: Is there unanimous consent for what the member for Timmins—James Bay has proposed? Agreed.

Mr. Bisson: I want to thank my Conservative colleagues and others for giving us a little bit of time to deal with this. There are a couple of things I want to put on the record. Number one, one of the big issues that I raised in my two-minute response to Ms. Horwath's speech, was that we could support the legislation wholeheartedly, but there are a couple of things that I think the government needs to do. We've gone to first reading, we've seen what the bill is like and we've had an opportunity to bring forward some amendments, but I think there are couple of things we can do here.

One issue for me is that we need to give some fairness for people at the bargaining table to try to negotiate a better benefit. One thing to do is to take off the 1.4% contribution cap and allow unions to negotiate to at least the federal standard, which is 2% for non-emergency workers and 2.3% for emergency workers. That is one thing I would ask for.

The second thing I would ask for is around the whole issue of the administration corporation. We know there

have been bad investment decisions in a number of pension plans over the years. One of things that I think we need to do is make sure the administration corporation is made up in such a way and constituted in such a way that at the end of the day there's some comfort on behalf of not only the employer but the plan members, I would say, because they're the ones who get the benefit in the end. We should make sure that good decisions are made when it comes to where investments should be done vis-à-vis the OMERS pension plan.

We've seen all kinds of tragedies across the pension industry in North America, with people in defined pension plans and defined benefit plans, where some pretty awful decisions have basically affected their whole ability to retire. I represent people in the riding of Timmins-James Bay who have seen their pensions eroded to the point that they're not able to retire and have had to work way past when they wanted to. One reason for that is some of the investment decisions that were made by their pension plan administrators. One of the things we've got to get right in this legislation is to give plan members comfort by making sure that good decisions are made when it comes to their pension investment, so they're not faced with a huge deficit that could affect their particular situation at the time they come up for retirement.

I would argue, in another piece of legislation that we should be debating in this House with regard to amendments to the Pension Benefits Act period, that we should be looking at the issue of insurance. Far too often, we find ourselves in a situation where there's not enough insurance to guarantee what a person is entitled to under benefits of insurance. I think right now there's a maximum of \$1,000 a month. A lot of pensions, if they're good defined benefit plans, could be more than \$1,000 a month, and you could see that gone if there's been a bad investment decision made. So I would argue that.

The other thing that I think we need to deal with is the whole issue around—I'm trying to remember the word, and I hate it when I do that—the amount you're able to negotiate when it comes to supplemental plans. I would argue that the government needs to take a look at that particular issue—I touched on that very quickly—to make sure that people are able to bargain for what is theirs.

There's the whole issue of the corporate versus the trust model. I only have two minutes, so I can't really get into it. But I think we all understand what we're talking about, as members. We've been at committee and have seen what that's all about. The government is proposing a particular model. I would argue that we're probably better off with the other, but it's something we should be able to deal with by way of amendment in the legislation.

The only other issue is the sponsors corporation. We need to be able to deal with that, because at the end of the day it has the responsibility for the plan design and benefit changes. Essentially, the sponsors corporation is responsible for determining the levels and nature of the benefits provided to the plan members, as opposed to

investment policy. I think we need to deal with that issue in such a way that at the end of the day we are able to find some comfort here.

In the last couple of minutes, I'll only say this: This is only part of the puzzle, in my view. This legislation can go a way in dealing with some of the issues around the OMERS pension plan, but we need to look at the larger issue of amendments to Ontario's Pension Benefits Act. Do we want to go down the road of dealing with making it easier for people to get defined benefit pensions from their employers? At this point, I think we should look at the very basic thing of saying that any member who goes into a plan should be vested on day one, and once they're vested, if they move after six months or six years to another plan, that they have total portability. If you work six years in one place, 10 years in another and three months somewhere else, all of that time could be counted up toward an actual pension benefit with which you're able to retire after 30 or 35 years of service. The problem we now have is that many workers in this province, as is the nature of the industrial world today, don't work for one employer for 30 or 35 years and find themselves in the position of not having an adequate pension when they're ready for retirement.

I would argue that one thing we need to do is amend the Pension Benefits Act to provide for complete portability of pensions from one employer to the other; second, make it easier for employers to negotiate their employees' pensions by providing what are called multiple employee plans, or MEPs; and third, to have people vested on day one. If we can do those three things, along with a few others, we can have a system in this province where, no matter where you work, you will be covered by a pension plan that is totally portable, where no matter where you work and how long you work for the employer, you bring your pension credits with you, so that at the end you can retire with some dignity. Far too often, people in this province, as across Canada, are finding themselves in a situation of not having an adequate income on retirement and having to work far longer than they need to.

I would argue that the government would be best served by looking at overall amendments to Ontario's Pension Benefits Act.

Mr. Norm Miller (Parry Sound-Muskoka): I'm pleased to have the opportunity to speak for a few minutes to Bill 206, the Ontario Municipal Employees Retirement System Act, 2005. I wanted to have a chance to bring to the attention of the Legislature the resolutions and letters I've been receiving from many municipalities in Parry Sound-Muskoka.

I see the Speaker yawning. I hope it's not my speech that's causing that.

I did want to bring to the attention of the Legislature the concerns I have been receiving from the many municipalities in Parry Sound-Muskoka. I note that the president of AMO, Roger Anderson, has raised concerns particularly about how this bill might affect property taxes, speculating that it could cause a 2% to 3% increase in property taxes.

Because this is second reading, I am also pleased that the bill will be going out for committee after second reading, as I understand that only about 20% of those who wanted to come before the committee in the first session of committee hearings had a chance to. So I think it needs lots of time at committee.

Among other municipalities in Parry Sound–Muskoka I've heard from Armour, Bracebridge, Burk's Falls, Carling, Georgian Bay township, the town of Huntsville, Seguin township and also Strachan. I'm sure there are others but those are some that I heard from.

I just want to highlight a couple of concerns. I won't read all the resolutions and letters, but for example in the letter the reeve of the village of Burk's Falls sent, he said:

"Municipalities are concerned that the province is rushing to reform one of Canada's most important pension funds without a reasonable understanding of the potential repercussions and without sufficient regard to the best interests of employees, retirees, employers, communities, taxpayers or Ontario's economy."

He goes on; I missed a few paragraphs here:

"Given the magnitude and implications of this legislation, due diligence is required to ensure the plan remains viable, that benefits are affordable, and that taxpayers' best interests are protected. As it is written, we believe that Bill 206 could cost employees, employers and taxpayers dearly in the years and decades to come.

"On behalf of our shared constituents, our employees and retirees, and with the full support of our municipal peers across Ontario, I ask that you ensure that the government has done its homework before proceeding with the devolution of OMERS." That's signed by Ron Russell, reeve of the village of Burk's Falls.

1750

To get to another one of the many resolutions I've received, I note a resolution from the town Bracebridge. I won't go through whole thing, but part of it, the gist of it, says:

"Whereas Ontario's municipalities and their employees depend on the prudent management of the \$36-billion plan and to ensure that employees and employers are paying for benefits they can afford; and

"Whereas OMERS employer and employee members are facing an increase in OMERS contributions in 2006 of approximately 9% as a result of a significant deficit in the OMERS fund; and

"Whereas the bill includes significant, potentially costly and unnecessary changes to the governance structure of OMERS, including a sponsors corporation structured to be governed by arbitration; and

"Whereas the bill would permit the creation of expensive supplementary plans to provide optional enhanced benefits that will impose new collective bargaining obligations on municipalities, the operating costs of which cannot yet be fully assessed; and

"Whereas the province has a responsibility to study the potential impact of the changes it is proposing and to

share the results with employers and employee groups; and

"Whereas AMO and others have urged the government to consider the potential implications of Bill 206, and to ensure the proposed policy changes protect the interests of employers, employees and taxpayers; and

"Whereas the government is moving in haste with bill, which in its current form raises significant technical, public policy and economic issues;

"Therefore, be it resolved that the corporation of the town of Bracebridge does not support Bill 206, and requests that the government of Ontario reconsider the advisability of proceeding with Bill 206 in its current form;" and furthermore, that it be sent to myself and the Minister of Municipal Affairs and Housing etc.

I wanted to get that on record. I know the member for Renfrew–Nipissing–Pembroke also wants to add to the debate, so I will leave him a bit of time to do so.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I don't know if I can get it all in here, but this is a very complicated bill and a very complicated issue. We've heard a lot about the stuff that has been going on in committee. The member for Parry Sound–Muskoka spoke to the fact that there are many more groups and individuals requesting to speak to this committee than were able to get on the agenda, because of the vast number of requests, which would indicate that there is a complexity to the issue here and that there certainly are varied opinions as to where the government should be going on this and whether it should be proceeding with this bill at this time or not.

The submissions I have received from municipalities in my riding—they're the only submissions I have received—are submissions that have grave concerns about the fiscal liabilities they may carry as a result of this bill passing into law. I want to read from my warden, Bob Sweet, who also was the chair of the Eastern Ontario Wardens' Caucus. They have very serious concerns about the cost: "The bill would change the Ontario municipal employees ... pension plan to allow ... pension benefits—and the employers...." I missed that part.

This would mean, according to Warden Bob Sweet, \$260,000 additional cost to the county of Renfrew, so they have very severe concerns about the cost implications of this bill, and I think sending it for more committee is the right thing to do.

The Acting Speaker: Pursuant to the agreement of the House, I will now put the question.

Mr. Gerretsen has moved second reading of Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The bill will be ordered for third reading.

Hon. Mr. Bradley: No.

The Acting Speaker: I recognize the government House leader.

Hon. Mr. Bradley: Bill 206 will be referred to the standing committee on general government.

The Acting Speaker: So moved.

ADJOURNMENT DEBATE

WATER QUALITY

The Acting Speaker (Mr. Ted Arnott): We'll do the late shows now.

Pursuant to standing order 37(a), the member for Bruce-Grey-Owen Sound has given notice of his dissatisfaction with the answer to his question given by the Minister of Natural Resources concerning the Neustadt lagoon. I'm pleased to recognize the member for Bruce-Grey-Owen Sound.

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): Thank you, Mr. Speaker, and—

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Got your teeth, Bill?

Mr. Murdoch: Yes, I have my teeth in today. This was supposed to happen last Tuesday, and unfortunately I couldn't talk too well. I had an old hockey injury come back to haunt me and we had it for the day.

I'd like to give some history of this so that the Ministry of Natural Resources will understand what's going on here. Back in the 1970s, a sewage lagoon was built for Neustadt to take care of their sewage. At that time, there were some discussions and some engineering reports saying that maybe this lagoon shouldn't go in this exact spot because the Saugeen River wasn't that far way. It was far enough away at the time that people didn't worry about it, but still there was concern that these lagoons shouldn't be built there. But they were built anyway, and the Ministry of the Environment looked after them and owned them. Then, in about 1998, 1999, somewhere around there, the Ministry of the Environment decided to give these lagoons to Neustadt. Neustadt is just a small village of 400-and-some people. At that time also, Neustadt was going through amalgamation. They were joining with Normanby township, Bentinck township and the town of Durham. They formed the municipality of West Grey. At that point, though, the ministry decided that the lagoons were going to become the property of the village of Neustadt, which was the municipality at that time. That happened, and no one is disputing that. No one's arguing the point that West Grey, which is now the municipality, does own the lagoons which handle the sewage in Neustadt. Sometimes we hear the government across the way saying, "Well, it was your government that forced them upon them." Well, whatever happened, whether it was right or wrong, that's a fact: West Grey owns the lagoons.

Back in 2003, we had a meeting there with the Ministry of the Environment, the municipalities and myself. The Ministry of Natural Resources failed to show

up. They didn't deem it to be their problem. But we were looking at the river, and at that point the Ministry of the Environment did say, "Just because we're going to do a study, that doesn't mean it's our problem, but we will do a study on the river, the erosion on the river and the lagoons." Basically, what the study came up with was that there were maybe five to six years left before the river would erode and end up at the lagoons. At that time, we, along with the municipality, lobbied the Ministry of Natural Resources, because I'd always understood that rivers are looked after by the Ministry of Natural Resources. Sometimes they give some of their work to conservation authorities, but mainly fish and the water in the rivers come under the mandate of the Ministry of Natural Resources. We got hold of the Ministry of Natural Resources at that time, and unfortunately the minister wrote back and told us to go to OSTAR, which is the same thing this minister is doing today.

I want to explain to you that that minister is no longer the minister. He sits over here with me on this side of the House. That's what's going to happen to the minister over there if he doesn't help us with our problem. Already the people have proven that we were wrong, and that's why we're over here now. So I think the Liberal minister on that side of the House had better listen to me or he's going to end up sitting over here beside me next time. Or maybe I'll be over there. Who knows? This is what happens when you don't listen to the people and try to help them out.

No one is denying that we got a letter from the previous minister. That happened. Now we have a government that has been in place for at least two years and we're asking for their help. The Minister of Natural Resources said last week, "You know that any sort of crisis is not imminent here.... We have lots of time to plan for this." Well, it seems strange. Then why would the Ministry of the Environment put an order on the municipality? We know they made a mistake. They know they've made a mistake; they just won't admit it. It's unfortunate. When you can't answer for your mistake, blame the other party; blame the last ones who were there. That seems to be what they're trying to do. But the fact is that the Liberals are in government, we have a Minister of Natural Resources, and they're the ones who should be looking after the river. The river is what's moving, not the lagoons. The lagoons are staying where they've always been. There's nothing wrong with them at this point. A river is moving toward them, a river that is normally, most people would think, looked after by the Ministry of Natural Resources, a river, mind you, that is also full of fish.

If this happens, and they wash the lagoons out—this is the Saugeen watershed—you're going to have wells polluted all the way from Hanover and Walkerton right out to Southampton. That whole watershed will be in trouble.

That can't happen, but we have a government that will not look after it. We have a government in place that has a Ministry of Natural Resources that is trying to tell me that water and rivers aren't their problem.

Maybe some other time I'll have more time to speak about this.

1800

The Acting Speaker: The Minister of Natural Resources has an opportunity now to reply.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I'm very pleased to be here tonight—you believe that, of course—to be able to respond to the member about an issue that I know is very important to him. I can assure the member that I appreciate the environmental impact of this issue if remedial action is not taken, if the riverbank continues to erode—there is no dispute there—and sewage is released into the river. We have a situation there, for sure. I can also assure you that this need not and will not be allowed to happen. The province has in place the necessary mechanisms to assist the local municipality in remedying this situation. That's what the argument is about, I suppose, when it comes to this. Nobody is going to be here to dispute the need.

First of all, I have advised both the local member and the municipality of West Grey that the Ministry of the Environment has the lead responsibility for sewage treatment and water quality in the province. I know the MOE has determined that the local municipality is responsible for the upkeep of the sewage lagoon, and that includes addressing the instability of the riverbank. The ministry has issued an order to the municipality to submit an erosion control plan.

This isn't just a river and that someplace on the river there is this erosion problem. There is an erosion problem on the river at a critical facility, and it's the responsibility of the municipality to protect their facility from whatever danger might be there. In this case, it happens to be river erosion. When you build a sewage lagoon, you have responsibility, obviously, to protect it, regardless of what it is that is encroaching upon that.

I also advised the member and the municipality that conservation authorities have responsibility for erosion control in that part of the world, and therefore have considerable experience dealing with watercourse erosion problems. I know the Saugeen Valley Conservation Authority will be pleased to continue to work with the municipality in this matter.

As well, I've suggested to both parties that the municipality make an application to the Canada-Ontario municipal rural infrastructure fund for an erosion control project. As you know, we commonly refer to that around here as COMRIF. This fund was put in place to address infrastructure priorities in municipalities, including water and waste water. The criteria for project selection are health and safety, public policy priorities and value for money.

I want to remind the House that this government does not take lightly any situation that threatens the quality of the province's drinking water. I would have to remind the member that when he wrote my predecessor, Jerry Ouellette, he got a very similar answer. In that case, the program you had in place was OSTAR.

We passed on to the municipality that that's the proper thing to do. You know how that works. Right now, we have a one-third grant from the federal government, a one-third grant from the provincial government and, of course, one third from the municipality, so what better opportunity, when there is that funding? What we're saying to you, and because of these criteria we're almost begging you, is to tell your municipality to apply for this. They're only going to be on the hook for one third. We take this pretty seriously. There is a program in place to address this. The municipality, in the end, is only going to be on the hook for one third of the cost. So the program is in place. We appreciate the gravity of the situation. We have some time. The program is there, and that's what we're advising everybody to do.

Two weeks ago, Minister Broten and I announced provincial grants and funding totalling more than \$67 million to conservation authorities and municipalities to help ensure that local communities have the science, knowledge and capability they need to protect their drinking water sources.

Last week our government introduced the Clean Water Act, which would establish Ontario as a leader in safe drinking water. This afternoon in the House, I announced that Premier McGuinty today signed a new international agreement with eight Great Lakes states and the province of Quebec to protect the waters of the Great Lakes and the St. Lawrence River basin.

Water is a priceless resource and we all have a responsibility to protect it. One of the ways we can do that is by keeping pollution from seeping into our streams, our lakes and our rivers. I think we need to look at it from that perspective also. It's not just a matter of river erosion coming into a sewage lagoon, but it's a sewage lagoon that's posing a threat to that river.

I encourage Mr. Murdoch to work with the municipality of West Grey and the Ministry of the Environment to ensure protection for the long-term health of the Saugeen River and the area's water supply.

ROYAL BOTANICAL GARDENS

The Acting Speaker (Mr. Bob Delaney): Pursuant to standing order 37(a), the member for Hamilton East has given notice of dissatisfaction with the answer to her question given by the Minister of Culture concerning the Royal Botanical Gardens. I recognize the member for Hamilton East.

Ms. Andrea Horwath (Hamilton East): I have to say that I was becoming extremely frustrated with the responses I was getting from the minister in regard to the Royal Botanical Gardens. I was asking my caucus colleagues how I should address two things: One is that I'm not getting an answer, and the second is that the minister insisted on putting in her response inaccurate information about my voting record in the city of Hamilton. They advised me that the best way to address these kinds of inaccuracies or troubles with a minister's responses is to simply ask for this kind of little hearing, if

you want to call it that, a late show at the end of the day's business and ask the minister to respond directly. It's unfortunate the minister is unable to be here to respond directly, but I hope there is someone on the government side who is prepared to account for the comments of the minister.

I can accept it if the minister is not up to date on the portfolio. I can accept it if she needs some time to dig out the facts and figure out exactly the detail of the question I'm asking. But I've raised this issue many times since April 2005. Initially, the minister's responses were light-weight, to say the least, in regard to her commitment on following through with funding that had been suggested, recommended, agreed to by the government in their process of reviewing the Royal Botanical Gardens, but then suddenly in these non-responses the minister decided to throw in some accusations around my personal voting record on the city of Hamilton council, at which time, of course, as one of the funding agencies, Hamilton took decisions in regard to how it funds various agencies.

I can recall quite vividly our budget troubles at the city of Hamilton. I can actually share with you that they haven't been solved yet, notwithstanding the fact that the council of the city of Hamilton has been vociferously, annually asking both the previous government and this government to help with our problem in terms of our budget inequalities. Nonetheless, the bottom line is that I have spent much time on that council and much time on many budgets, on budget after budget. I don't recall ever specifically voting against funding for the RBG. In fact, I don't ever recall supporting funding cuts to the RBG, in fact rarely even ever supported budgets for the city of Hamilton, because, frankly, any taxpayer, any resident, any citizen in the city of Hamilton who paid attention to municipal politics would know that I didn't support one of the major capital projects in Hamilton, which was something called the Red Hill Creek Expressway, underway now—water under the bridge or under the road.

The bottom line is that because of that particular expenditure, I found it very difficult to support city budgets, in fact if I'm not incorrect, rarely, if ever, supported a city budget because of the amount of dollars that went into that one project and the ongoing maintenance that is going to be required for that project versus having to cut all kinds of boards and agencies and other community services, including organizations like the RBG.

1810

So I would like the minister to account for not only why it is that she refuses to make a commitment about the flowing of funds to the Royal Botanical Gardens, the \$3.8 million that this government successfully managed to squeeze out of the union as concessions during collective bargaining, which I would call bargaining in bad faith, but also why they haven't bothered to come up with the money. We're still seeing problems at the RBG—or adjustments, let's say. I'll tell you, those adjustments would be a lot easier if the minister would simply stand in her place and acknowledge that the

commitment was made, that they're not going to break that promise and that in fact they are going to flow the funding. That's the first thing.

The second thing is, I would like the minister to provide to me and to this House the evidence that indicates any truth whatsoever, any accuracy whatsoever, to her comments regarding my voting record on the RBG and the city of Hamilton budgets, because I've done that work myself. Not only did I live it, but I actually went back and read through the records as far back as I could. There's nothing on the record that indicates my voting in favour of cuts to the RBG or, in fact, any of the budgets that included the cuts to the RBG.

So, yes, I was a member of that council. Does that mean I agreed with every single decision that council made? Absolutely not. I would ask that the minister or her representative on these issues actually be up front with me, particularly, as well as with those who watch both these issues.

Ms. Jennifer F. Mossop (Stoney Creek): I'm responding on behalf of the Honourable Madeleine Meilleur, Minister of Culture, regarding the dissatisfaction expressed by the member opposite, the member for Hamilton East, Andrea Horwath. As everybody in this House knows, I am the parliamentary assistant to the Minister of Culture.

Ms. Horwath has taken exception to a reference by the minister to the member's time as a city councillor in Hamilton. She states that the minister has made an erroneous accusation about the member's voting record on city council regarding RBG funding. What the minister was pointing out, I believe, was that between the years 1998 and 2003, when the member was on Hamilton city council, Hamilton's contribution to the RBG was cut every year. During the member's time there, it went from \$900,000 a year to \$575,000, and that is a cut of almost one half. If the member is saying that she spoke against those cuts, and asked to be recorded as opposing those cuts, then I, of course, take the member at her word.

As for the role this government has played in the crisis facing the RBG, I'd like to point out that we have played a leadership role. The gardens experienced provincial funding cuts mainly in the last two years of the previous government's regime. We have not only stabilized that funding, but we provided \$1.87 million in emergency funding, and we sent a few hundred thousand more in end-of-year funding.

More importantly, despite the fact that this government had only two members on a 24-member board, we stepped up to the plate during that crisis with a full audit and review of the gardens' operations. We have an excellent report right here called *A Fresh Start* for the RBG that was prepared by the former mayor of the city of Hamilton. This report includes many recommendations. One of the recommendations was alluded to by the member opposite, but there are many recommendations, including the one for transitional funding. But that funding was not to be flowed before the transition board presents its business plan.

Now, we have a transition board in place, an excellent one, and I have every confidence that the RBG, under the very capable leadership of the chair, Mr. Terry Yates, will bring that plan forward in due course. In the meantime, Mr. Yates and his board have been tackling a number of difficult issues. The minister has been kept abreast of those developments at the RBG on an almost daily basis, and she is very pleased with the progress that is being made. It is a very capable and very thoughtful team, following the excellent, thoughtful and comprehensive work in this review that was presented.

The last few years, and the last year in particular, have been very difficult for the RBG. As the RBG review committee said, no one should minimize the rebuilding job that lies ahead. The report also made it clear that the RBG must develop a strategy to become increasingly more self-supporting over the next few years. It took several years for the RBG to get into this predicament, and it will not get out of it overnight. The members, the volunteers, the staff and the citizens whom I speak to on a regular basis do not want to see taxpayers' money being thrown down the drain until there is a solid plan in place on solid ground. Nobody wants to see another cent spent until we know where we're headed. For all of us who care about the RBG—

Interjection.

Ms. Mossop: —as I know the member opposite does, we have to start looking for teamwork, rebuilding and creative solutions and not partisan finger pointing. Even the most legitimate concerns—and I acknowledge the member's concerns—are undermined by a lack of positive contribution and support. The RBG needs more members, it needs more donors, it needs more activity and it needs a business plan, and I'm confident that we will get there if we all work co-operatively on this recovery with Mr. Yates and his board.

You know, I have to say that I'm reminded of the observation by the former leader of the member's party, Bob Rae, in his book: "You can't always go through life leaning on the horn," to which I add my piece: Sometimes you have to put your shoulder to the wheel with the team and get things moving in the right direction. That is exactly what Mr. Yates and his transition board are doing, and we, as a government, are doing that with that board. We congratulate them on their work to date, and look forward to the business plan and to continuing the work with our stakeholders and the other stakeholders, the cities of Hamilton and Halton, who are also funders of the gardens—

Interjection: Big supporters.

Ms. Mossop: Big supporters. We are working with them on the recommendations presented in this report.

TORNADOES

The Acting Speaker (Mr. Bob Delaney): Pursuant to standing order 37(a), the member for Waterloo–Wellington has given notice of dissatisfaction with an answer to a question given by the Minister of Municipal

Affairs and Housing concerning the response to the August 19 tornadoes.

The Chair recognizes the member for Waterloo–Wellington.

Mr. Ted Arnott (Waterloo–Wellington): In the 15 years that I have been privileged to serve in the Legislature, I don't think I have once asked for a late show. If I could just take a moment to explain why we're here: Most of the members who have House duty this afternoon and tonight sit till 6 o'clock and have a 45-minute break for dinner, and there's a 45-minute break for dinner for the staff. Of course, we're eating into that time, so to speak, with these three late shows. I think the fact that we're having three late shows is an indication of the government's unwillingness to answer legitimate questions in the Legislature, and the opposition members have a means and mechanism to express dissatisfaction with those inadequate answers. Certainly, this is why I am bringing this forward today.

Our community was damaged by two devastating tornadoes this past summer on August 19. I was very concerned about how the provincial government might be able to respond to assist our communities. I invited the Minister of Community Safety, the Honourable Monte Kwinter, and the Minister of Municipal Affairs, the Honourable John Gerretsen, to tour the devastated areas. They did come within days and saw the devastation with their own eyes. I hoped that by working with the government, we could then secure adequate provincial financial assistance for the communities that were devastated by the tornadoes.

I was very disappointed when I received copies of the letters sent to the two mayors, Mayor John Green of Mapleton township and Mayor Russ Spicer of the township of Centre Wellington, offering, I would say, a minimal and inadequate amount of financial assistance to help those communities with their cleanup costs. The provincial government was offering about \$335,000.

What upset me most was the fact that the Minister of Municipal Affairs had arbitrarily, I would say, reduced the amount of financial assistance to our two communities by an amount equal to 4% of those municipalities' budgets. As I said in the House today in my question, that to me is like making a donation to the Salvation Army at Christmastime and then asking for change: It's miserly and unacceptable.

In my responsibility as MPP for Waterloo–Wellington, I am speaking on behalf of my communities and bringing these concerns forward. I was quite emotional in my questions today. I was quite angry, because this has been building for some time, and I expressed the views of my constituents directly to the minister. I asked him how he could justify what I called his miserly response to our communities in terms of assistance. I felt that he did not provide an adequate justification in answer to the first question, and the second question, which was, "Will you meet with the municipal officials representing my area to discuss their request for a top-up to the assistance that has been initially offered," he did not answer at all.

This is the same Minister of Municipal Affairs who brought a bill into this House not long ago called the Respect for Municipalities Act. He is the Minister of Municipal Affairs. You would think that if there was a request for a meeting from heads of council in any community across the province to discuss an important financial issue like this one, he would want to make himself available. You would think that in answer to a question like that in the House, he would have said in response, "Yes, I will meet with those municipal officials because I understand they have a concern, and we'll sit down with them and see if we can work it out." That response, had it been forthcoming, would have been satisfactory to me, and I would have gone home at Christmas with that information to my communities, and I'm sure there would have been a sense in our communities that the provincial government was prepared to work with us and see if there was an opportunity to increase the financial support.

1820

Again, my request—specific request, I guess—is that this 4% of the municipal budgets deduction that the minister has arbitrarily attached to our grant be removed. If that were the case, our municipalities would receive approximately \$330,000 more. I don't feel I'm asking for the moon. It's a drop in the bucket in comparison to the overall provincial budget, which is some \$80 billion that they spend every day. The government spills this kind of money every single day; we know that. I don't think I'm asking for the moon. I'm asking, certainly, for an additional measure of respect for our municipalities.

Whatever assistance is forthcoming to the communities of Mapleton and Centre Wellington I'm told will be shared by those municipalities with the Grand River Conservation Authority, the county of Wellington and the other adjacent municipalities that helped with the cleanup. I'm confident that a fair sharing of that available money would take place. I would add that the Grand River Conservation Authority estimates that their total losses are in the range—or actually, their cleanup costs, rather, and I guess you would say the total losses—are \$750,000. It's a lot of money for them, and if the assistance from the province isn't forthcoming, that cost will be borne by our local taxpayers.

The Acting Speaker: The Chair recognizes the member for Scarborough Centre.

Mr. Brad Duguid (Scarborough Centre): I want to begin by extending, on behalf of the minister, once again, all the best of the season and Merry Christmas to the member, which the member may recall the minister extended to him in question period today.

When a member asks for a late show, it's usually as a result of something that wasn't provided, or an answer that wasn't provided by the minister. In this case, I read the transcripts of what the minister had said, and I was here this afternoon and heard the minister's answer to the question and I thought it was extremely thorough. I know there are times in this place, from time to time, when it

becomes question period more than answer period, and that's always been the history of this place, but this is one of those questions where I think the member got a very detailed answer from the minister.

I want to take a look back at some of the things that the minister indicated to the member. The minister recognized the member for the good work that he's done on this particular file and recognized as well his advocacy on the part of this community, which is something that I think all of us try to do on behalf of our communities, and recognized the hard work he's put into this. He has risen on a number of occasions in this House, and he's been in touch with the minister on this issue. In fact, he accompanied the minister to his riding on a visit to take a look at the damages and meet with local officials down there to get a really good handle on exactly the damage that was done on Friday, August 19, in his particular area, and actually, right across a good swath of southern Ontario. I recall that day, in fact. I recall being on my way back from up north and coming back into Scarborough. There was a heck of a lot of damage, even in that part of the province. I saw cars that had water well up over their windows, stuck in pools of water under bridges. Indeed, it was a day where a number of different municipalities incurred severe damage.

The minister did go up and survey the damage in the member's riding and took note of the issues. I'll get into the substance of the minister's response in a minute. The minister also indicated that he has received subsequent letters from the mayors of the area. In those letters they requested more assistance. Indeed, there are special assistance grants going to Centre Wellington for \$182,500 and to Mapleton for \$152,600. The mayors of those areas have written to the minister. We have received their letter, which the minister has seen, asking for further monies to be considered under those programs. The minister indicated today that we're actively reviewing those requests, something that I think is our responsibility: to make sure that as these requests come in, we do review them.

I think what we don't want to do is get into a situation where we're playing politics with these issues; we have a rational decision-making process that we have to go through. I'm not suggesting that the member is doing that, by any means. I'm suggesting, though, that as we go through our process of deciding how much money goes out to municipalities in these disaster relief types of programs or special assistance grant programs, we have to think of each municipality and its circumstances and award those grants accordingly. That's exactly what this government is doing.

I can go through the chronology of events; I don't think I'll have time to go through all of it, but we have looked in detail at the requests that have been brought forward. Centre Wellington has indicated that 47 properties, of which 16 are seasonal cottages, were damaged by the tornado. Of the 47 properties, 44 experienced no uninsured damage. The remaining three properties included some uninsured items such as accessory build-

ings, but these would not normally be covered under the Ontario disaster relief assistance program.

Based on the staff analysis of the information submitted by Centre Wellington, the municipality experienced \$416,562 in extraordinary incremental costs arising from the tornado. Those are their costs. We've looked at this review of their costs, and while they didn't qualify under the disaster relief program, we're looking at the special assistance grant program to assist us. We had similar requests from the township of Mapleton.

I can give the assurance that the minister will look actively at their requests. We'll stay in touch with the member and ensure that we make the appropriate allocation for these municipalities.

The Acting Speaker: There being no further matter to debate, I deem the motion to adjourn to be carried. This House is adjourned until 6:45 p.m.

The House adjourned at 1827.

Evening meeting reported in volume B.

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Second Session, 38th Parliament

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Deuxième session, 38^e législature

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Tuesday 13 December 2005

Mardi 13 décembre 2005

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 13 December 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 13 décembre 2005

The House met at 1845.

ORDERS OF THE DAY

BUDGET MEASURES ACT, 2005 (NO. 2)

LOI DE 2005

SUR LES MESURES BUDGÉTAIRES (N° 2)

Mr. Duncan moved third reading of the following bill:

Bill 18, An Act to implement 2005 Budget measures and amend various Acts / Projet de loi 18, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2005 et modifiant diverses lois.

The Acting Speaker (Mr. Ted Arnott): I recognize the Minister of Finance with his leadoff.

Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet): I'm honoured today to rise to lead off third reading debate of Bill 18. As was heard during second reading debate, this important piece of legislation proposes amendments to some 23 provincial statutes, and delivers on our spring budget commitments to build a strong economy and a culture of transparency and accountability. I'd like to begin by taking a minute to focus on how Bill 18 would introduce fairness to some tax measures.

I'll begin with lower-income senior couples in Ontario. We are proposing to increase the income threshold for senior couples for the Ontario property and sales tax credit. The proposed threshold of \$22,250 would ensure that senior couples, including couples receiving GAINS benefits, do not experience any reduction of their credits as a result of federal adjustments to the old age security and guaranteed income supplemental benefits. Without implementation of this change, some senior couples would experience a loss in benefits due to the cost-of-living increases in federal seniors' benefits.

As many of the members in this House know, a loss of benefits for senior couples is something that I believe none of us would like to see happen. Every \$1 of income over \$22,000 would reduce senior couple benefits by four cents. This means that an increase in income of \$250 would reduce their Ontario property and sales tax credits by \$10. If passed, this proposed enhancement in Bill 18 would deliver \$2 million in benefits to about 215,000 senior couples. I know that seniors who live in my riding and ridings across the province will welcome this change,

and I hope the opposition will remember this portion of the legislation when it comes time to vote.

Ontario book publishing tax credit: Bill 18 would also introduce a measure of fairness for Ontario's publishing industry. We are proposing to enhance the Ontario book publishing tax credit to increase the number of categories under which children's books would be eligible, from the current single category to four categories that are eligible. Children's books would now be eligible in the categories of fiction, non-fiction, poetry and biography. This would bring the treatment of children's books published after May 11, 2005, in line with the current treatment for adult books.

The last bit of fairness of Bill 18 that I want to focus on today has to do with tax administration for Ontario businesses. Despite living in the 21st century and having access to all kinds of technological advances, some tax administration is still done through filing paper documents by mail or by sending cheques. A proposed amendment to the Ministry of Revenue Act would help to smooth the transition to tax administration by electronic or alternate means. Bill 18 would authorize the minister to approve alternate delivery channels for such things as filing returns, making remittances and conducting business with the ministry. These alternate channels would include the use of electronic forms and e-banking. This amendment would help us to keep up with changes in technology that would improve efficiency in tax administration. We want to reduce the paper burden for Ontario businesses so they can focus on growing, expanding and creating jobs.

As I have mentioned on several occasions in this House, Bill 18 is an important piece of legislation, a good piece of legislation. Tonight, I have outlined some important points to consider as we engage in third reading of Bill 18. I trust that the members of this House will lend their support in passing this key piece of legislation that will help us move forward with our plan for Ontario.

1850

The Acting Speaker: Questions and comments? Seeing none, further debate?

Mr. Toby Barrett (Haldimand-Norfolk-Brant): I appreciate the opportunity to speak to this latest budget bill. So often in deliberations on budget and planning for budget we take a provincial perspective, and I would like to focus on a case study, if you will, on one particular community, the town of Delhi, which is in my riding. It has taken quite a hit. It has been blindsided, essentially, by the decline in the tobacco industry. However, there is

some light at the end of the tunnel. There's a role for a provincial budget to assist this community, to enable it to capitalize on the strengths that exist in a town that has many fine ethnic community halls and probably some of the best food you're going to get anywhere. There's an expression: "You can't get a bad meal in Delhi."

Very recently, and this is through some Ontario government funding, there has been an economic study of recommendations made to attempt to provide some innovation in this community and help it get back on its feet. This was a town that has been deep-sixed by a government policy on tobacco, a product that generates close to \$9 billion a year across the Dominion of Canada, at both the federal and the various provincial levels. I feel there is a case to be made for some of that \$9 billion in annual taxation revenue to government to be directed toward ailing tobacco towns like Delhi.

Earlier this year the federal government assisted communities, and primarily farmers in the area, to leave the industry with a "buyout," but a more comprehensive and much more proactive solution is required. As people present in the House earlier today would realize, the farmers, through their marketing board, are now proposing a full exit from tobacco. There's no turning back on this one. We do call on the Minister of Agriculture to continue the dialogue with the tobacco community. We ask the minister to convene a forum to pull together the federal level, to pull together the manufacturers, to pull together the Minister of Finance, who kicked off the debate this evening, and the Minister of Health. We need input from all sides. Essentially, the community, which has seen the writing on the wall, has given up continuing to grow tobacco. All they require now is a resolution and initiative from government to fix the problem once and for all.

With this, as we know, the Ontario Ministry of Health declared war on tobacco, and in any war, people and communities get caught in the crossfire. There is collateral damage, and Delhi is one such community. We can look at provincial economic data, we can look at federal job statistics, but you really need to look at maybe one statistic in the town of Delhi: In recent years, they have lost all three of their new car dealerships. You can't buy a new car in Delhi. That's a measure of just how much money is left in that area, given the decline in their principal industry.

We conducted hearings through the finance committee. It was quite appropriate to be talking about tobacco, and I know that one day of hearings was held in Tillsonburg. Roger Geysens, a Norfolk councillor, testified at those hearings and made a case for continued assistance, not only for tobacco but for other farm commodities. Given that the communities in my area are dependent on agriculture, I certainly concur with his presentation.

The tobacco industry is obviously in a very serious period of uncertainty. Sixty per cent of the tobacco produced in Canada comes from Norfolk county. Again,

we know the factors that drive this: high taxes, illegal cigarettes and tobacco imports.

In 2003, the number of pounds marketed in tobacco had dropped to 56 million. That was down from 81 million in the early 1990s. So we're seeing an overall loss of over \$300 million to the Norfolk economy and to the Delhi community itself. But communities do change and people go on with their lives, apart from the fact that losing a primary industry has pretty well wiped out most of the major industry in the Delhi area. We lost the Delhi foundry; it's now a brownfield site. Harley Smith tobacco equipment is closed. Jacobs Greenhouse is closed. Very recently, Delhi Dodge closed. And I mentioned the other two dealerships. Blue Star Ford, for example, had closed previously. Our agriculture co-op, Norfolk Co-op, is under bankruptcy protection.

There have been attempts in the past. There were two diversification programs back in 1987 to 1992. The alternate enterprise initiative program ran more recently, from 1994 to 1999, though it was referred to as the tobacco diversification program. It was there to try and generate new economic activity. In the long run, when you look back on these two government programs, there really aren't many successes that I can report tonight.

As you may know, I worked in tobacco a number of years ago. At that time, there were 3,200 tobacco farmers. The way it's going now, the projection of the tobacco board is that we may see that 3,200 number closer to zero within a year—a drastic decline in the industry. We all know, most recently, the tragedy of Imperial Tobacco in Guelph, moving out to Monterrey, Mexico, and also closing down their Aylmer facility.

Going back to Delhi again, as we know, this massive economic disruption has had a tremendous influence on the social and cultural life in that community. Roman Catholic churches in the area are in the process of downsizing and amalgamating. The town, obviously, has lost population over the years.

I think what's very important, though, is that I feel there is light at the end of the tunnel. I've known Delhi for as long as I can remember, and there's incredible potential in that community. Very recently, Norfolk county council received recommendations from an initiative called the Delhi Innovation Team. I'd like to very briefly walk through a number of the recommendations from this group, which involved experts from the provincial level—municipal affairs.

The number one recommendation was to keep Delhi District Secondary School open, and beyond that, take the initiative to expand educational and community programs through that particular building. Just yesterday, we heard the Ontario government announcement to bring agriculture back to the high school curriculum across the province. I'm a former teacher of high school agriculture. We haven't seen that course in the province for 30, maybe 35, years. I think there is a case to be made to bring back agriculture, agricultural technology and technical education to Delhi high school.

I mentioned the Delhi foundry. It certainly would qualify as a brownfield site. One option would be condominiums. I know just this summer, across the street, a new block of condominiums was built. Further to the east, King Street presents an appearance of blight, decay and vacant buildings. Again, through land assembly and perhaps property improvements, that end of town could be redesigned.

1900

I guess most important, I made mention of the ethnic diversity in the community of Delhi, the history of this community. My grandfather was the federal MP for the area just after the Second World War, and at that time the Delhi area, in fact his riding of Norfolk, was the most ethnically diverse riding in the province of Ontario—something that would surprise many today. At that time Toronto was purely WASP. The basis is there for revitalization. The Polish hall, the Belgian hall, the Hungarian hall, the German hall, the Knights of Columbus, the Legion, Lions—all have community halls. As I said earlier, you can't get a bad meal in Delhi. I think of the kind of tourism and opportunities to have a good meal in Amish country down in Pennsylvania, and I think there's merit in exploring that for the Delhi area. Secondly, given the ethnic diversity of that community, I really feel, and I think many would concur with this, there's potential to see Delhi go down the road of perhaps a Frankenmuth, as we see in Michigan.

There is potential for this area. They have taken a devastating hit courtesy of government policy. I sincerely feel it's incumbent on the Ontario government to redirect some of that \$9 billion a year that comes in not only to the province of Ontario but to other provinces and the Dominion of Canada. As we discuss a budget bill and the planning and allocation of scarce resources, I would take a position that part of that money be allocated to the town of Delhi.

The Acting Speaker: Questions and comments? Seeing none, we'll move to further debate.

Mr. Michael Prue (Beaches-East York): I spoke to this at the second round, so I guess here I am talking again at the third round. The bill hasn't changed. I listened intently to the minister talking about how important this bill was. He talked for all of three minutes, and talked about how this was going to do such wonderful things for seniors. I'm sure there are people out there on the television thinking, "Oh, my God, this is a great bill. It's going to help me as a senior citizen. It's going to help me with my income taxes. Isn't this a wonderful party that is bringing this forward?" Except, if you start to read what is in the bill—I don't want anyone to get their hopes up if you're watching this television. I'm here, I guess, to dash your hopes, because what is in this bill is really nothing at all.

Every year, the federal government issues the income tax form. I want to tell you straight to your face so you understand. There are all kinds of things in that income tax form that allow you to make deductions. Every year, every single province in this country tries to concur with

what is contained in the federal legislation that's found in the income tax form that will find its way into your homes sometime in January or February. All this bill does around seniors is that it gives a tax credit for seniors to coincide with what the federal Parliament has already done, and makes Ontario the same as Quebec, the same as Nova Scotia, as New Brunswick, as Prince Edward Island, as British Columbia and all of the other provinces and territories. That's the great thing that's being done for seniors here today: to simply put the law in context with the federal legislation so that Ontario, like every other province and territory, can treat its senior citizens in the same way. I listened and that's what he said was the highlight of the bill. If that's the highlight of the bill, I don't think there's much, really, that's contained in here for tax credits.

The bill itself contains, and he said as well, 28 other provisions. One of the really nasty provisions it contains, of course, is to retroactively kill the Community Small Business Investment Funds Act. This was for people who believed in their communities, for people who believed that their municipality had some worthwhile projects, whether it was building a community centre, whether it was rebuilding some forested land, whether it was environmentally or ecologically a good thing to do. These funds existed that allowed people to put the funds forward and to use them against the income tax and to use them as an investment tool. What this bill does is retroactively take away that permission—

Mr. Norm Miller (Parry Sound-Muskoka): Heartless.

Mr. Prue: —yes, heartless, absolutely heartless—to last August, which means even if you've invested in it, you have to deinvest in it. This bill was brought forward in November. Three months after people had invested their money, trying to benefit their communities, the environment, housing for seniors and a whole bunch of things, they come and yank it away. We're supposed to say, "What a great bill," because it has 28 provisions. This is but one. The first one I talked about was for seniors. It's going to treat them the same as every other province, which we are expected to do and I'm sure any government would do.

The second one is to take away the cherished right of people who want to invest in ecological, environmental, socially useful things. That's been taken away. There's a provision of the gasoline act that doesn't really mean anything at all to me, because if you read it, it's nothing more than gobbledegook.

In the bill itself, there's something under the Securities Act which doesn't say anything at all.

There's a provision for the Tobacco Tax Act, which I'd like to read again because if anyone didn't see my speech before, the importance of this act is that not one member of the Legislature can possibly understand what it means. I'd like to read it out. I want someone to stand up, and I'll yield the floor for a minute, if you can tell me what this means, if any of you have read it. It reads as follows:

“Subsection 19 (3.2.1) of the Tobacco Tax Act, which came into force on December 16, 2004, permits the Minister of Finance to assess or reassess a person under the Act after the expiry of the time limit for issuing an assessment if, before the expiry of the time limit, the person has filed a waiver in a form approved by the minister. The enactment of subsection 19(3.2.4) of the act permits the minister to assess or reassess a person after the time limit if, before December 16, 2004, the person provided the minister with a written waiver of the time limit.”

Anybody got a great explanation for this? This is one of the 28 great provisions that we're standing here tonight.

The last one I want to speak to is the Toronto Waterfront Revitalization Corporation Act. Being a person from Toronto who has lived my entire life in this city, in this place, in this largest metropolitan unit in Canada, except for one year when I lived in Ottawa, I've watched with great, fervent hope that one day I would see a waterfront in Toronto that would rival the great waterfront redevelopments that we see in the docks area of London, Barcelona, Chicago or any of the world's great cities that have taken back the waterfront.

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): And Cobourg.

Mr. Prue: Even Cobourg has probably done a better job than Toronto to this point.

What do I see in this bill? I see more gobbledegook. All it says and all it contains is that, finally, they have acknowledged that government, people who work in government and members who are elected have a role to play. So it allows the city of Toronto to appoint one person out of their appointees who actually holds elective office, and it allows the province to do the same. One person out of all of the group that they send down to the waterfront revitalization committee can actually be an elected member of this House. I have no illusions that it will be me. I'm sure it will be one to the Liberal backbenchers from Toronto when that finally happens. But there it is. That's what's contained in this portion of the bill.

This is a backup bill to the budget. New Democrats voted against the budget. I guess I have probably no choice—since I thought the budget was one of the most regressive, horrible budgets that I have seen in this House—but to vote against this particular bill as well. I'll tell you why I said that it's a regressive, horrible budget. The members opposite think it's a good budget because you did two progressive things in it. I will tell you from the outset that I think you did. You did some good things around education, and you did a couple of good things around health; maybe not enough, but you did some good things in that budget with it. You did that.

But what continues to rankle me and so many people is what this budget didn't do: It didn't help the people in this province who need it the most. It did not help people who are in the most dire of circumstances. It did not help the poor. It did not help those who are on ODSP. It did

not help those who are on Ontario Works. It did not help autistic children. It did not help those who need housing in a great way. It did not help the hundreds of thousands of families who are on waiting lists for affordable, decent housing. It did not help those unfortunate souls who live in the regional centres, whose families dream of having somewhere better for them to go. It did not help the poorest of the poor, and it did not help those most in need. That was the great failure of this budget. That was the failure, and I spoke about it the last time.

1910

Those people who are on ODSP have not had a raise in about nine or 10 years. They have absolutely no more extra money today than they had in 1995. They have no money at all, save and except that last year's budget gave them 3%. I stood in this House and said it was a pittance. I still think it was a pittance, but at least it was something. At least those poor people could say that their lives had not gotten any worse after 10 years of sitting there, getting worse and worse every year as inflation ate away at the meagre sum of money they got. People on ODSP, for the record, get \$900 or \$950 a month. That's how much a single person gets to live on in this province. With that money, they have to pay their housing, their food, their transportation, their clothing and everything else. I would challenge any member of this House to try to do it. It is a near impossible task.

A year ago, the budget said, “We're going to give you a 3% increase.” I didn't think it was enough; I still don't. But at least it was something. But this budget, this mean-spirited budget, this budget you're asking me to support—the Minister of Comsoc asked me constantly, “Why didn't you vote for it.” I don't vote for anything that doesn't improve the lives of individuals who desperately need improvement. The people on ODSP, through no fault of their own, are singularly unable to work, due to infirmity, sometimes age, sometimes a combination of both, sometimes medical conditions that are completely beyond their control and doctors and specialists all agree that they can't work. They are being forced back into even worse poverty. In fact, inflation since the Liberals were elected two years ago has been more than 3%. So in reality, those same people on ODSP are worse off under your government than they were when the Conservatives left. I think that's the reality. That is the total reality. The member shakes his head. If only he had to live on \$950 a month. If only he had to suffer what they suffer and the inhumanity of it all, he would recognize that giving them nothing this year was an affront.

The same thing is true of those who are on Ontario Works. Those same people, through misfortune, mostly women and children, are forced—a single person on \$500 a month, a family on \$800 or \$900 or \$1,000 a month—to buy their food, pay their rent, pay for all the expenses, put clothes on the kids and try to make a life. Again, they got absolutely nothing. There was nothing in this budget for them. Those people, those children, those hungry children, are worse off today under the Liberals

than they were under the Conservatives. That's your record, that's your budget, that's what you do. That's what you want me to vote for as a New Democrat. Well, I'm not going to do it. I don't care how many times the Minister of Community and Social Services stands up and says I should support that. She's trying. She's not trying hard enough. And your government is not trying hard enough when your budget can give money to so many causes, most of them worthwhile, but can't give money to those who need it the most.

On the last occasion, I talked about the clawback, something very dear to my heart. I remember what Dalton McGuinty had to say before the last election. I remember what he had to say prior to this budget, that it was still the Liberal commitment to try to end the clawback. There was nothing in your budget that ends the clawback. You continue to take millions upon millions of dollars that the federal government, in its wisdom—I would suggest that the Liberals in Ottawa had some wisdom in giving money to poor kids to bring them out of poverty. If those children are unfortunate enough to be born into poor families where their parents are on ODSP or where their single mother is on Ontario Works, you take every single cent that they would use to try to end the poverty. You take it off them. You don't take it off Conrad Black; you don't take it off of the CIBC or the Royal Bank. You've given them tax credits. But who you do take it off is the poorest of the poor children, and then Liberals wonder. I hear in this House: "How come there's so much violence in Jane-Finch? How come the kids are going out and buying guns? How come these poor children are getting into all this mischief? How come these poor children want to drop out of school at age 16 when we have their best interests at heart and are extending education to 18?" You ask all these questions, but the answer is very simple.

One of the great philosophers once said—I'll think of his name in a minute, but the quote is absolutely excellent: What is the hardest thing for a man to see? That which is right before his very eyes. What you're not seeing is that your budget perpetuates the problems that you, as Liberals, say you want to solve but that you are not solving. When you stand up and talk about hiring 1,000 new police officers—I'm going to vote for you to have 1,000 new police officers if you really mean it; I'm going to say that crime on our streets needs to be controlled in the short term. But what you're not looking at in your budget, what you're not looking at in your long-term plans is why these kids are in trouble in the first place.

If you go to places like Jane-Finch or Flemingdon, if you go to Regent Park, if you go to Lawrence Heights, if you go to the hundred or thousand other projects around this province, you will see that the kids are in despair, that life is not getting better, that this province, which is seeing an economic boom, has left them behind. You have not ended the clawback. The single greatest thing this government could do—any government, whether it's the Conservatives, whether it's us, whether it's you,

whether it's all of us in combination—to end child poverty in this province is to end the clawback. With that one action, you would liberate tens of thousands, maybe hundreds of thousands of children from a life of grinding poverty. But does your budget do that? Even though you promised you'd do it, does it? It doesn't do it at all. Your budget does not address the very real problems.

On the last occasion, during second reading, I talked about a wonderful, true, human story that the minister told at the awards ceremony for young black kids where money was given out to them to help them to go to school. The minister told this wonderful story about the kids and how she talked to the principal, and how she was giving out money for them to go to the show and money for bus tickets so they could get there. It was a really uplifting story. But at the end, it came crashing down to me and to Minister Chambers, who told the story. The principal told them that she felt really sad, because although the poor kids were as intelligent, as smart and as capable as any kid from Upper Canada College—and she used that example—in the end, it would be extremely difficult for any of them to actually finish high school. That's what the principal told her; that's what she relayed to the audience. And the reality is that it's true. It's not just whether you have the smarts; it's whether or not you feel, as a young child growing up, that you fit in or you belong. There are many difficulties out there that cause children not to feel they belong, and one of the worst is when they go to school, particularly as they get to be 12 or 13 or 14 or 15 years old, and they see their fellow students coming in with nicer clothes, when they see that they have money to go to the dance or to go to the excursion or to go to the museum or to have a holiday or to have the thousand things that young kids want to have, an iPod—I don't know; all the things that kids want to have. They don't have them, and why don't they have them? It's because your budget doesn't address it. You wonder why they get in trouble or you wonder why they drop out of school, but I don't wonder that.

1920

I had the opportunity to go and live for two nights at Jane-Finch. I thought, having grown up in public housing my entire life—from the time I first remember anything until I got married, for some 25 years in Regent Park and at 3190 Kingston Road in Scarborough—that I would be prepared for what I saw there. I have to tell you that I was not. I was not prepared for the cockroaches in huge numbers. I was not prepared for the mice scurrying across the floor, for the holes in the wall. I was not prepared for the despair. I was not prepared for the absolutely abysmal conditions—leaks in the roofs. I was not prepared for the windows that didn't keep drafts out. I was not prepared for the kind of conditions that those people have to live in every single day of their lives. I spent two days there.

I know that the Minister of Health spent a day at Wellesley, I know that the Minister of Municipal Affairs and Housing spent a day at Moss Park, I know that my colleague from Don Valley West spent a day in Fleming-

don and I know that my colleague from Willowdale spent a day in one of the housing projects in his riding. I don't know whether others did, but I commend anyone who did. You must have seen the same despair. You must have seen it. You must know it. You must want to do something. Surely it cries out in your hearts to do something. Has anything been done in this budget? No. Has any promise been made to do it in next budget, to at least assuage my fears of where this government is going? No. Nothing is being done at all. There is no money for replacement that Ontario, in my belief, owes to the city of Toronto and all the other cities. There's no money at all. There's no money for replacement; there's no money for new housing. Very little is being built. The minister, in answering one of the members of his own caucus, answered that some 800 units have been built since the Liberals came into power and some of those haven't even been occupied yet. That's all. Toronto needs \$224 million just to put into a state of good repair what has been downloaded to them.

The problems of this budget are legendary. People will be talking for years to come about how this government has failed a significant population in this province. You ask us, and the minister asked us tonight, to support his budget, or this addendum to the budget, because it's a really good thing. In all conscience I can't do it. I cannot turn my back on those people who need it the most. I cannot turn my back on those same people with whom I grew up, and who probably still live in Regent Park and at 3190 Kingston Road. I cannot turn my back on those children who I know are hungry. I cannot turn my back on those people who, through no fault of their own, suffer from ailments that make it impossible for them to work, or for single mothers who have no choice except to stay home with their children when circumstances or partners have left them, and make it impossible for them to go out and work. I will tell you, the budget has failed all these people miserably. You, as Liberals: This is your budget. I'm not going to support this.

But I live in hope. I live in hope. I know that next April the finance minister, whoever that might be at that time, whether it's the one now or a new one, is going to stand up and outline a new plan. I live in hope that when that minister stands up, he or she will reverse the trends of the first two years of this government, that he or she will talk about doing something that helps the poor, something that builds some housing, something that restores dignity to people's lives. I don't want to hear any more about how many tax cuts you're going to give to the Royal Bank or the CIBC or TD, or how much you're donating to Conrad Black or anybody else. They don't need it. They don't want it. In fact, all these think tanks put forward by the banks are telling you that another direction needs to be travelled. They are at least honest to the point that they say they don't need the money. You just haven't heard it.

I'm asking you, in your new budget, to act like real Liberals, or at least the Liberals that I used to think were Liberals, and to talk about people who need the money.

Don't talk about the privileged few. Certainly we've heard from Mike Harris and all of his people about the privileged few. Start talking about the unprivileged many who need your support.

I know that some kind of an arrangement was made that I should only talk for 20 minutes. I really want to talk for hours on this, but I'd just like to close with, last but not least, the section about the regional centres. Questions have been asked in the last couple of weeks, and it's been pretty nasty in here. I have been to those regional centres, and I think most of you have too. They are places of excellence for the people who live there. I know the New Democratic Party, the Conservative Party and the Liberal Party have all said that we want to shut them down over time and that people should be integrated into the community. I am in total agreement with that statement. The parents of the adults, many of whom are in their 60s and 70s, with parents in their 80s and 90s, are in agreement with that statement too.

Everybody is in agreement with that statement, but what needs to happen first, not after, is that we need to build the infrastructure to move these people into the community. We cannot simply yank them out of their homes—I used the word “eviction,” and I still use it because it's technically correct—with nowhere to go. If this government is intent upon doing that—and it's a laudable idea—then the money has to be found in the budget. The money has to be found in the budget for real centres where people can go from a good centre to at least as equally good a centre. You can't downgrade their lives. You can't take them away from places where they have an opportunity to swim or a park to play in. You can't take them away from the centres which take them out of their sense of deprivation. You cannot do what you are doing without countenance.

You need to do what is right, and that is to spend the money to develop the alternatives before you upset their lives. If I ever saw people who needed help, it is the people who live in those centres. If I ever wanted to help anyone in my life, it would be them and the kids with autism. You need to look to those people, who have no other hope except for you, and you need to make them the priority of any budget in the future. If you do that—and I said, Mr. Speaker, I will be brief—then I live in hope. I live in hope that I can applaud the next finance minister who stands up and does the right thing. I can live in hope that these people will have a better life—a better life that you promised you would give them. If you do that, then maybe, and only then maybe, will I support your budgets.

The Acting Speaker: Questions and comments? Further debate?

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): It's a pleasure to speak for a few minutes on Bill 18, budget measures, because I would like to try to help out the government of the day on their budget. When they deliberate in their meetings on their budget, they need to put some money in there for the Ministry of Natural Resources, because they are having a hard time living up to their

mandate by looking after rivers, which is their job to do. If this government doesn't give the poor minister any money, he has a tough time getting the money from the Treasurer, I'm sure, to do that.

Interjection.

Mr. Murdoch: Yes, unfortunately this government is listening to the old members who used to be around here. Well, they're still here, but they're on this side of the House.

I want to commend the Minister of Natural Resources for showing up here tonight, because we had a late show and he came in and spoke on the situation. Even though he has it all wrong, I appreciate the fact that he did come here himself and speak about it.

The whole thing started when the Ministry of the Environment put an order on the municipality. They missed the whole thing. The ministry should have put the order on the Ministry of Natural Resources. It is their river. They have a river that's eroding and coming close to the lagoon. Right now, there's nothing wrong with the lagoon—it's not leaking; it's not causing any problems in the municipality—but we have a river that's owned and managed by the Ministry of Natural Resources. At least that's the way it was in the past. Now, the ministry is trying to say that it's not their mandate any more and they've mentioned that maybe it should be the mandate of the conservation authorities. The conservation authorities have no way to raise money to do this job unless they put a project in to the Ministry of Natural Resources. If the Ministry of Natural Resources will say that's fine, I'm sure the Saugeen conservation authority would be glad to do the job.

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We had a study done, which was paid for by the Ministry of the Environment, that said it would take over \$1 million to correct this problem. The government of the day and the Minister of Natural Resources say that we should go to COMRIF. Well, that's a third, a third and a third, and a third of \$1 million is around \$330,000. I ask you, where would the small town of Neustadt find that kind of money? They don't have that kind of money there. It's hard to believe why this government, why the Ministry of Natural Resources would think it would be the job of the municipality to fix a river that's eroding. If it were the lagoons that were eroding, then fine. I could understand that the municipality would have to fix that, because they do own it. But they do not own the river.

As you will know, Mr. Speaker, many times people want to do things in different rivers, and the amount of paperwork, the amount of red tape that you have to go through to be able to do anything in that river—it's all done through MNR. Now, all of a sudden, MNR has a problem, and their river is eroding and taking the bank away and moving closer to the lagoons, and it's not their river any more: "No, it's not ours any more. We think now the municipality should pay for this."

Municipalities across Ontario want to be aware of this whole thing, because it's going to happen when the next

river starts to erode. The ministry is going to say, "No, not our problem. But if any fish die, you're in trouble."

They've brought in a new act. This McGuinty government introduced a Clean Water Act. Well, how can they stand in their place and introduce a Clean Water Act and then turn around and say it's somebody else's responsibility? They've got money for that. They certainly could go into that act and fix this river, fix the bed.

I know there's some time later on tonight to talk about some more estimates and some more budgets. I'll get up again and remind this government of their duty. They are the government. It's just frustrating when there's a problem and they want to blame somebody else.

The Acting Speaker: Questions and comments? The Minister of Finance is in the House and he has an opportunity to reply if he wishes to conclude the debate.

Interjection.

The Acting Speaker: OK.

Mr. Duncan has moved third reading of Bill 18.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

I have received from the chief government whip a notice of deferral, and I wish to inform the House that this vote will take place tomorrow at the time of deferred votes.

INTERIM SUPPLY

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I seek unanimous consent to move a motion respecting consideration of the orders for concurrence in supply and the interim supply motion.

The Acting Speaker (Mr. Ted Arnott): Is there unanimous consent for the government House leader to move a motion as he just described? Agreed.

I recognize the government House leader.

Hon. Mr. Bradley: I move:

That, notwithstanding any standing order, government orders 5 through 16, inclusive, and government notice of motion number 56 may be called concurrently; and

That when such orders are called, time shall be allotted until 9:20 p.m. for concurrent consideration in a single debate of all of these orders, which time shall be divided equally among the recognized parties; and

That at the conclusion of the debate the Speaker shall put every question necessary to dispose of the order for concurrence in supply for each of the ministries named in government orders 5 through 16, inclusive, and to dispose of government notice of motion number 56.

The Acting Speaker: Mr. Bradley has moved—

Interjection.

The Acting Speaker: Dispense?

Mr. Peter Kormos (Niagara Centre): No.

The Acting Speaker: Mr. Bradley has moved:

"That, notwithstanding any standing order, government orders 5 through 16, inclusive, and government notice of motion number 56 may be called concurrently; and

"That when such orders are called, time shall be allotted until 9:20 p.m. for concurrent consideration in a single debate of all of these orders, which time shall be divided equally among the recognized parties; and

"That at the conclusion of the debate the Speaker shall put every question necessary to dispose of the order for concurrence in supply for each of the ministries named in government orders 5 through 16, inclusive, and to dispose of government notice of motion number 56."

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

I recognize the Minister of Finance.

Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet): I move concurrence in supply for the following ministries: Ministry of Public Infrastructure Renewal, Ministry of Health and Long-term Care, Ministry of Children and Youth Services, Ministry of Natural Resources, Ministry of Training, Colleges and Universities, Ministry of Citizenship and Immigration, Ministry of Agriculture and Food, Ministry of Transportation, Ministry of Education, Ministry of Energy, Ministry of Tourism and Recreation, Ministry of Northern Development and Mines.

I move that the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 2006, and ending June 30, 2006.

Payments for the period January 1, 2006, to March 31, 2006, to be charged to the proper appropriation following the voting of supply for the 2005-06 fiscal year and payments for the period April 1, 2006, to June 30, 2006, to be charged to the proper appropriation following the voting of supply for the 2006-07 fiscal year.

The Acting Speaker: Orders of concurrence in government notice of motion 56. I recognize the Minister of Finance.

Hon. Mr. Duncan: I'm happy today to rise to speak to this motion. Interim supply is one of the most important motions proposed by the government in the Legislature. It is the motion that, if passed, gives the government the authority to implement its program, fulfill its commitment and put its vision into practice. Without this motion, no government would be able to implement the mandate that was given by the people. Without it, the political process would be meaningless.

Currently, the government spending authority for the fiscal year ending March 31, 2005, is provided through a motion for interim supply which was approved on June 2, 2005, giving the province the authority to make payments for the six-month period from July 1, 2005, to December 31, 2005. This motion expires on December 31, 2005.

As a result, to ensure that Ontario can continue to make scheduled and unscheduled payments effective January 1, 2006, for the rest of the fiscal year 2005-06, and for the first three months of the new fiscal year, the motion for interim supply must be passed at this time. Without spending authority, the government would be unable to make most scheduled and unscheduled payments. Nursing homes cannot be paid, hospitals cannot be paid, doctors cannot be paid, municipalities cannot be paid, general welfare recipients cannot be paid, children's aid societies cannot be paid and suppliers' accounts cannot be paid. Without this motion, and without spending authority, no government would be able to fulfill the mandate for which we are responsible to the people of this great province.

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This government is fully aware that we are faced with challenges. I'll talk about the challenges ahead within the context of our plan for Ontario. The first point is that, unlike members of the opposition, we do have a plan for Ontario. Our province's greatest competitive advantage is our people. Strengthening that advantage is what our plan is all about.

As you will recall, our 2005 budget set out a comprehensive plan to transform health care, education and the economy, and the business of government itself. We committed ourselves then, and remain committed today, to a new era of openness and transparency in government, to renewed investment in essential public services, to return the province to financial health and to stimulate a new generation of economic growth. Our plan is on track. Our plan is working.

We remain on track to eliminate the deficit while continuing to make essential investments in education, health and a strong economy. Through our balanced, responsible approach, we are on track to eliminate the deficit no later than 2008-09, or a year earlier if the reserve is not required. Ontario's economic performance has been better than expected this year, and growth is expected to continue, but there are risks on the horizon, such as higher oil prices, a strong Canadian dollar and higher interest rates. Therefore, we will continue to be prudent, focused and disciplined in our approach to our fiscal management.

We will continue to invest in the education and training of our people, better health care, smart investment in infrastructure for a stronger economy and strong financial management. We are achieving these goals tonight.

With passage of this motion for interim supply, we will be able to continue to deliver what we have set out to do in our May 2005 budget, and the list of these investments in the people of our province is impressive. Let me mention some of them for the benefit of the members of this House.

Under Reaching Higher, the McGuinty government plan for post-secondary education, \$6.2 billion more will be spent on post-secondary education and training between now and 2009-10.

We are also providing more nurses, reducing waiting times and keeping people healthy by increasing the number of family health teams, providing more cancer and cataract surgeries, more cardiac procedures and more hip and knee joint replacements.

Our government will continue to invest in children's education, from preschool to high school graduation, through programs such as Best Start and our smaller class sizes initiative.

Since the middle of November, we have held pre-budget consultations in many communities across this province. These consultations, and the comments we are receiving from the men and women of this province, will lead us to the presentation of our third budget next spring. But let me emphasize that our objective remains to improve services that Ontarians value and that make our economy competitive. This is about more than finding savings and moving money from lower priorities to higher priorities; it's about providing higher quality public services. This is a critical step to improve our finances, and improving our finances is a critical component of building a stronger economy.

Difficult choices are ahead, but we will be focused and disciplined in making them so that we can achieve our objectives for the economy, our financial situation, education and health care. We will continue to provide updates on our progress.

I'm proud of what our government has accomplished so far. I am excited about our plan for the future, because ultimately it's a plan that will strengthen the prosperity of our people, the health of our people and the education and skills of our people.

Our goal is to make Ontario the North American leader in the management and delivery of public services. Passage of the motion for interim supply is fundamental in order to fulfill our plan for this great province. I ask members of this House to dedicate due consideration to this motion and vote yes on the passage of the motion.

The Acting Speaker: Further debate?

Mr. Robert W. Runciman (Leeds-Grenville): Thank you, Mr. Speaker. We will be taking our time as a block; I'll be sharing my time with the member for Bruce-Grey-Owen Sound and the member for Haldimand-Norfolk-Brant.

The Acting Speaker: I have to say to the member for Leeds-Grenville that apparently he needs unanimous consent of the House in order to share his time with another member.

Interjections: Agreed.

The Acting Speaker: OK. The member has consent. I return to the member for Leeds-Grenville.

Mr. Runciman: Thank you, Mr. Speaker, and I thank my colleagues in the House for their support.

There is a whole range of issues that I wish to touch upon in my limited time. I'm going to be somewhat parochial in the sense that I wish to mention a couple of situations that have arisen in my own riding that I think are indicative of a growing concern across the province

that isn't being recognized by this government in any way, shape or form.

Our leader, John Tory, has been raising this issue in the House, as has our economic development critic, Mr. Chudleigh, and other members of the caucus, and that is the ever-increasing loss of manufacturing jobs in the province of Ontario. As of a few weeks ago, the statistics indicated 52,000 manufacturing jobs lost in Ontario over the course of the past year, a significant number of them in the north.

I've also had in my own riding the announcement of two closures, and I want to speak briefly about this. A week and half or two weeks ago, the Hathaway plant indicated its closure in Prescott. Many of the members, including the government House leader, are very familiar with the Hathaway facility. So many Ontarians, so many Canadians, have stopped in Prescott to purchase a shirt or tie out of the Hathaway outlet, which is part of the manufacturing facility. Hathaway Prescott is the original home of Hathaway Canada, so when you think of Prescott and when you think of Hathaway, they're interlocked, interlinked. This was an enormous blow to the community and to eastern Ontario.

We were always concerned. We've seen a downsizing over the past number of years. Over the last few months, we've had about 75 or 80 employees in Hathaway, and now they are losing their jobs. I toured the plant on Friday. Most of those employees have now left the premises. They no longer have employment opportunities within that facility.

Yesterday, we heard of the closure of the steel plant in Gananoque: 90 to 100 jobs in a community of 5,000. Prescott is a community of 5,000 as well. These are significant body blows to small-town Ontario that are not being recognized, that are in fact being dismissed by the McGuinty Liberal government. We heard the parliamentary assistant last week—and this has become a subject of significant discussion across the province—call the communities impacted by these closures “crybabies.” He said they were crybabies because they were coming to the government of Ontario concerned about the future of their communities. The individual employees and their families, just before Christmas, are crybabies because they're concerned about their future. That's the kind of action and response, or lack of action and response, that we're getting from the McGuinty Liberal government. This is a serious and growing problem that the government does not want to recognize, let alone deal with.

We can get into a whole range of concerns related to why this is happening. There's no question that what's happening on a global basis is having an impact, but we also have to look at Ontario and what's happening within this jurisdiction. What's happening with respect to taxation levels? What's happening with respect to labour laws? What's happening with respect to energy costs? All of those kinds of issues factor into whether a company can continue to be profitable, whether a company wishes to locate and invest in Ontario or whether a

company wishes to grow and expand in Ontario, and in many respects we're losing those battles, in small-town and mid-sized Ontario especially. We're going to pay a price.

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We hear all these glorious announcements that the economy is wonderful. The member from Brantford, whom I consider a friend, frequently gets up and says about these tales of woe, "My community is doing well." It's the old story: "I'm OK. I'm in the boat; pull up the rope." That's the sort of response: "This community is doing well. I happen to be a resident of X community, and it's doing well, so what do I care about Y community and the fact that that community is losing its major employer?" This is the sort of callous attitude that this government seems to take with respect to so many issues that affect people and communities, and all of us, those people who tune in to the parliamentary channel, should be concerned.

We have Liberal backbenchers laughing while I'm talking about this, carrying on with their little conversations. We see it on a daily basis in this House during question period. When members of the opposition, whether the official opposition or the third party, get up and ask very legitimate questions expressing very serious concerns about issues that are impacting people across this province, we get harassment and ridicule from the government benches—laughter. I don't like to be critical of the Chair, but I'm going to take this opportunity to say that the Chair—not you, Mr. Speaker; one of your colleagues—does not bring this House to order when the government members allow it to get into a situation that I don't think any of us should allow to continue to exist.

Mr. Lou Rinaldi (Northumberland): Say that to his face, Bob.

Mr. Runciman: I will say it to his face; I'll be glad to say it to his face. We'll all be glad to say it to—

The Acting Speaker: I'm going to have to ask the member for Leeds-Grenville to withdraw his comments about the Speaker of the Legislature.

Mr. Runciman: So be it, Mr. Speaker. I withdraw.

I also want to talk about—and some of these are related issues, obviously, with respect to job losses and what's happening in terms of the erosion of our manufacturing base in the province of Ontario. I've talked about my own riding, but we know it's impacting on a whole number of—I see the member for the Northumberland area here tonight. He represents a riding much like my own. In Campbellford, the World's Finest Chocolate Factory—I believe that's the appropriate name—announced a few weeks ago that it was closing down and moving those jobs to Michigan. We saw recently the announcement by Domtar that's going to impact the city of Cornwall in a very, very serious way—900 jobs. If you take a look at what Domtar employed a few years ago, it was a couple of thousand people. If you look at northern Ontario—and I'm not as familiar with the impacts on northern Ontario, but my colleague Mr. Miller, who is our critic for that part of the province, has

told us on a regular basis about the loss of jobs in the milling industry and the forest sector, really dramatic impacts on those communities in northern Ontario.

That's the sort of thing that's happening in pockets across this province. These tend to be pockets that are having difficulty, in terms of the municipalities, surviving even without these losses, with an eroding tax base and increasing pressures on them. These are issues and concerns to which the government members want to turn a blind eye and heap derision upon those communities that want to express their concern and ask for assistance and support from the provincial government.

I've never seen so many e-mails from this government in the last couple of months boasting about fining businesses in this province. You can open your e-mail and there's a list of these e-mails from government, whether it's the Minister of Labour or the Minister of the Environment: "We fined X business \$300,000; we fined Y business \$25,000." I've never seen this sort of unbelievable assault on business in the province of Ontario that they're boasting about in these e-mails they're sending out to us virtually every day, businesses that are providing jobs to hard-working men and women in the province of Ontario. I'm not exaggerating: every day, open up your e-mail account and it's, "So-and-so charged \$25,000," "So-and-so charged \$15,000," "So-and-so fined X"—significant amounts of money. Obviously, none of us wants to endorse significant violations of health and safety or environmental legislation, but I think this government has gone overboard in its assault on the business community in Ontario. I'm sure they have some people who will applaud that, but in many respects that is a very short-sighted approach to the long-term well-being of the province of Ontario.

We have, for how many years, been one of the few "have" provinces in Canada, and, for the last number of years, one of two—Alberta and Ontario—in terms of equalization payments to support a variety of good programs across this country. But we are slowly and inescapably slipping down, to the point where I'm very concerned about Ontario becoming essentially a service economy. We're losing these manufacturing jobs; we're looking at Wal-Mart or Home Depot or call centres—those kinds of jobs without the benefits. Many of them are not full-time jobs. That's where we're heading.

The light hasn't gone on for this government in terms of looking at significant encouragement for business, whether it's through taxation policies or incentives for productivity—perhaps through capital gains in terms of investment in new machinery to encourage productivity improvements—or through labour legislation. A whole range of initiatives could be undertaken. All we have to do is look at the success stories in this world. Many times, Ireland has been cited or looked at as an example, in terms of how they turned their economy around over a period of years. That's the sort of thing that we have to start looking at in Ontario. We're well behind the curve, and we're starting to see the impact now.

When you talk about globalization, losing jobs to other countries, other jurisdictions, we have to find innovative ways of ensuring that we can keep those jobs in Ontario. The textile industry, with Hathaway moving out of Prescott—they're saying "We're moving all the jobs to India or Pakistan or China." I was watching a 60 Minutes program a couple of weeks ago about a Montreal native who is now living in the United States and who started a company called American Apparel. They just opened a store across from my apartment in Toronto. They have expanded dramatically, and all their production facilities are in North America. These are people who are committed to this continent, to the United States and Canada. It can be done. They found a way to do it and to make a profit, in terms of the way they relate to their employees, the support from their employees and the support they get from state, federal and local governments, the encouragement they get at those various levels. That's the sort of thing we have to be looking at: encouraging that kind of entrepreneurial spirit in this province, not discouraging people from growing a business in Ontario.

Right now, the attitude seems to be that business is bad, that business people are bad, that all they're going to do is negatively impact our environment, that they're going to do dangerous things on job sites. I saw a construction company in my riding, a very small operation, where one of their employees made a mistake. Someone could have been injured, I grant you. But a \$25,000 fine to that company?

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For business to survive in a small community, with a relatively small workforce and a limited number of opportunities to keep people employed, we have to have more flexible approaches to this. Education obviously is a critical ingredient in this. I think the approach, the attitude, the responses from this government are all wrong, and we're all starting to pay a price, especially in small-town rural Ontario. But that cost is going to grow, is going to extend into urban Ontario, the areas where people currently, like the parliamentary assistant to the Premier, are saying, "You're a crybaby." It's going to start to impact on them in the very near future.

Mr. Toby Barrett (Haldimand-Norfolk-Brant): I welcome the opportunity to rise and speak to concurrence and supply. I too, as did the member from Leeds-Grenville, wish to make reference to the economic climate we're seeing in rural Ontario and much of farm Ontario. I've attended meetings very recently in the riding of the member for Leeds-Grenville, at Kemptville. There's a town that has quite a reputation in the agricultural community.

There are some tough times out there. So many of our farmers, whether it be beef or cash crop, tobacco, as I mentioned earlier this evening, or fruit and vegetable, are in a position right now where they need assistance, not only technical assistance and research and development assistance but monetary assistance. The same goes for our supply-managed sector—poultry and dairy—and the

feather sector. Government assistance is there and has to be there at these deliberations in Hong Kong. When people and farmers and farm commodity groups come forward with a request for assistance, I sincerely hope that members opposite would not refer to them as crybabies.

I mentioned the meetings in Leeds-Grenville. I've had meetings with farmers in Sunderland, the Lake Scugog area, Guelph, certainly across my riding, down in the Leamington area. I think all three parties probably met with farmers at the plowing match in Listowel. One question that came up at the plowing match from a dairy farmer—I raised the issue of Quebec and the fact that they have a long-term agricultural policy, that they make decisions as a province in the context of food certainty and food sovereignty. It raises the issue, where is Ontario's long-term policy with respect to food? Do we have a food policy in Ontario? For that matter, do we have a food policy in Canada?

Many of our commodities operate on the Chicago market. If you're cash crop, we operate in a competitive context and compete with the subsidies of the US farm bill. Should we be deliberating the need for an Ontario farm bill or perhaps a Canada farm bill? It can be argued that the ad hoc programs, the subsidies, certainly have negative effects. Our farmers on this side of the border bear the brunt of the US subsidies, driven by European subsidies. It drives up the price of land, for example. But the need is there not only for a long-term program but also for short-term ad hoc subsidies, given the situation in much of farm Ontario, a situation described as catastrophic by the landowners' groups, for example, at the plowing match.

To that end, last night there was a planning meeting in my riding by the local Norfolk-Oxford-Elgin landowners' group, part of the newly formed Ontario Landowners' Association. Two hundred farmers came out to do some planning to go out on the 401 tomorrow morning at Ingersoll and Woodstock. This is a sign of the times, an indication that winter is here, and we will see tractors out on Ontario's 401 at Wallaceburg, at Ingersoll, at Belleville. There is also probably a fairly large group assembling tomorrow morning in Ottawa at the Central Experimental Farm.

Why do farmers have to resort to that kind of approach? They don't want to go out. I mean, today it's about 10 below zero. I don't know whether that's in English or French; I've lost track of temperature measurement. But this isn't the kind of weather anybody wants to go out and demonstrate in, to try to get a diesel engine running on a tractor.

Mr. Kormos: It's cold enough to freeze the balls off a brass monkey, ain't it?

Mr. Barrett: Well, I won't get into nautical terms, but being from a fishing town, Port Dover, commercial fishermen have gone through some tough times as well.

Part and parcel of the economic decline and job losses that we see in much of rural Ontario are the other factors: government intrusion, something I'm hearing a lot about

now with respect to the impending source water protection legislation; concern about the greenbelt; infringement on one's property, and the feeling that the trespass act should be beefed up a bit; the feeling that perhaps the right-to-farm legislation should have a second look. Many of these kinds of issues, beyond the purely economic issues, revolve around rights and freedoms and the fact that Canada's Charter of Rights and Freedoms did not include property rights. That's something we're probably going to hear about a little later this evening. I see the member for Bruce-Grey-Owen Sound has just walked in. That's an issue that both he and I feel very strongly about.

We saw a motion debated in this Legislature earlier this week with respect to supply management. Many of us are concerned about our system of quota and tariff protection for hatching egg, laying hen, broiler, turkey, and our dairymen. We're concerned about supply management. Of course we continue to be concerned about our cattlemen, our beef farmers. As I've indicated, prices for corn and soybeans are right down at the bottom, and our fruit and vegetable growers, even some of our greenhouse growers, are in trouble. That's in direct relationship to the price of natural gas and the price of energy. These groups, through a variety of programs, are asking for assistance. This government should not be referring to people like that as crybabies. All they ask for, really, is a level playing field.

I wish to mention, as we debate concurrence in supply, that Ontario's standing committee on finance and economic affairs will be conducting pre-budget hearings. Hearings commence Thursday morning of this week. It's very important for people across the province who are concerned about job losses in the province, concerned about the out-migration from many of our rural communities, to get on that agenda, to either send in a written submission or to apply to testify. For the hearings commencing in January, the deadline for requests to appear before the committee is Monday, January 9. The deadline for written submissions is February 2. I would encourage people to contact the clerk's office or my office to ensure that they get on the roster.

The hearings will be conducted across the province. On January 25, we'll be in Atikokan. That's a very good town in which to raise the issue of energy, of the role coal will play in the future in the province. On January 26, the committee is in Timmins; on January 27, in eastern Ontario, down in Cornwall. The following week, the finance committee will be conducting hearings—these hearings go on all day—in Niagara Falls on January 30, followed by Sarnia the next day, then Kitchener-Waterloo, and then back to Toronto on February 2.

I feel it's very important for people to take advantage of this particular committee. It's very important for people in this Legislature to continue to attempt to understand that the rural economy is changing in Ontario. Whether they go out on the 401 or show up at a committee hearing, there's an opportunity for people in this province to have their voices heard.

2010

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): Both the previous speakers have talked about many things having to do with concurrence in supply. I noticed that when the Minister of the Environment was talking, the Ministry of Natural Resources was mentioned. I want to talk a bit about the Ministry of Natural Resources tonight and about a river they own in my area. I know everybody here would like to hear about that.

When we're talking about supply and budgets and money, what I would like to do is commit—and the treasurer and the House leader are here. That's a lot of power to have here. If you can prove to me tonight before we vote on this that the million dollars is in there to fix that river, then I would be compelled to vote for your bill.

Interjection.

Mr. Murdoch: No, because that's what we're here about. The treasurer said, "I don't know. Maybe it is in there." If the government tonight can prove to me that it is there before we vote later on, then you'll have my vote. If not, then I'm sorry, I can't vote for this bill.

There are many other things wrong, but this is one of my problems: We have this river, the Saugeen River, that flows through my area and ends up in Southampton, and if a sewage lagoon gets in that river, we're in trouble. I can't understand why the Minister of the Environment would put an order on the township. They made a mistake. All they have to do is take that order back and put it on the Ministry of Natural Resources, the people that look after the rivers in Ontario. I just don't know what the problem is over there. It may be a problem that it's going to cost a million dollars, but I don't understand why the government of the day would want to put this on the municipality. They have mentioned that they can go to COMRIF, but it still is \$330,000 for a little community. They can't afford that. You know something? The Ministry of the Environment built the lagoons there in the first place. Even though they were warned at that time, back in the 1970s—

Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell): Who was in power, Bill?

Mr. Murdoch: Oh, it probably was the Conservatives. They make mistakes too. That's maybe why we're over here. But I'm trying to help you guys out, because you're making the same mistakes and some of you might get left and you'll be sitting over here and Bob and the rest of us will be back over there. If you keep making those same mistakes, this is what's going to happen to you guys.

Here's a river. The river is full every year. A lot of water goes down this river and eats away a little bit of the bank every year, and it definitely is getting closer to these lagoons. A study was done, paid for by the Ministry of the Environment, saying that something should be done. Yes, you have a couple of years; the minister mentioned that he didn't think it was too excitable right now. Well, a couple of years isn't that far away, because that's when there'll be an election, and you guys will be moving back over here if you keep making these same mistakes.

So what I'm asking tonight, since you're doing concurrence in supply—no problem—help out the Ministry of Natural Resources. They can flow that money to the conservation authorities. I have no problem with that. In the minister's letter, he indicated that the conservation authorities were much brighter than the Ministry of Natural Resources. Being a former chair of conservation authorities, I think he's right on that. There's no doubt that conservation authorities have always done a good job in our area and will continue to do a good job, but they do need the money to do it.

Then you introduced a new act, and under this act you want water supply looked after. Well, you're not going to do a very good job of it if you don't fix this river up, and soon. As I say, you only have about two years to do it. As the study said, approximately \$1 million will fix the job. You're doing supply and budgets now, so I don't understand why you wouldn't live up to the responsibilities of the Ministry of Natural Resources. As I mentioned before, if anyone wants to do something with in a river, especially a navigable river, they have to go through all kinds of red tape and paperwork to do that.

First of all, we have to get the Ministry of the Environment to admit they made a mistake and sent the order to the wrong place. Send the order to the Ministry of Natural Resources. To help them out a little bit, maybe they could go to their friends in Ottawa. I'm sure they'd like to fix this right now. It is considered a navigable waterway, so that gets the Ministry of Transport in Ottawa involved. There's also Fisheries and Oceans, which is legally in charge of fish, but they've downloaded that to the Ministry of Natural Resources. The Ministry of Natural Resources could go to both those ministries and ask for some help. They're your cousins; maybe they would help you out at a time like this. They may like to get the word out that they've done something good for a change.

I'm glad to be able to speak to this. Sorry I've taken up the time on just one subject, but it is very important to the people of West Grey, to the people of the whole riding of Grey and Bruce, because if this lagoon overflows, we have trouble all the way down to Southampton.

Mr. Kormos: I'm pleased to join this debate on behalf of New Democrats. I'm here in the chamber with Michael Prue, the NDP member for the Beaches—East York, who is a tireless advocate not just for the people in his own community, in his own riding, but indeed for people across the province.

He is going to be embarking on a province-wide tour, speaking with Ontarians, from big cities through to small towns and villages and hamlets, about the chaos that persists in property taxation under the Dalton McGuinty Liberals. And as Michael Prue, with incredible energy, travels around the province, he is going to be visiting community after community where working women and men have had their jobs taken from them by the policies of this Dalton McGuinty Liberal government. Michael Prue, as he travels across Ontario, is going to be talking to people who are the breadwinners for their families,

working hard, oftentimes at dangerous jobs, tiring jobs, demanding jobs, but doing those jobs really well, who have had the rug pulled out from underneath them, whether it's the folks in Bob Runciman's riding at the Hathaway shirt factory or whether it's workers from Ferranti-Packard in St. Catharines, skilled workers making good-quality product who have had the rug pulled out from underneath them or whether it's workers from Atlas Steels in Welland who are still hanging on by their fingernails with the hope that the newest owner of that operation might get it back into production, restoring at least some of the huge number of jobs that were lost.

Electricity prices, first and foremost, are a major factor in these factory shutdowns: electricity prices that this government promised to cap, a promise that was quickly broken. Indeed, what happened was that Dalton McGuinty Harnicked the people of Ontario when he made promise. "Harnicked" is a verb, a neologism, I confess. Look, folks across the province two years ago voted for change. They believed the promises made to them by the Liberal Party and by Liberal candidates and by the leader of that Liberal Party. But on a daily basis, as promise after promise after promise is broken, those same voters realize that they were Harnicked by those same Liberal candidates and the Liberal Party and Dalton McGuinty, the Liberal leader.

2020

It's not as if there's even any shame over there. I shared the shock and disgust at the parliamentary assistant to the Minister of Research and Innovation, who happens to be the Premier. People are reeling across Ontario: 52,000-plus manufacturing jobs gone. Those were good jobs, jobs that people expected to work at for the rest of their working lifetimes. Those were wealth-creation jobs, value-added manufacturing. I've said it before and I feel compelled to say it again: I don't denigrate any of those hard-working women and men who work at places like call centres or casinos, but casinos don't create wealth; they separate people from their wealth. Call centres don't create wealth; it's a service industry. Women and men working in a steel mill create wealth. Women and men working in a car plant create wealth. Women and men working in farmers' fields create wealth. And it's these jobs, the manufacturing jobs, that created the working middle class.

Let's understand this very clearly: The condemnation of 50,000-plus Ontario working women and men to unemployment by virtue of the loss of those jobs is a direct assault on the working middle class of the province of Ontario. Those are the people who pay the taxes. Rich people like Conrad Black, alleged to have stolen millions of dollars from Hollinger—I wonder who he's going to share his cell with.

Hon. Mr. Bradley: Radler.

Mr. Kormos: Mr. Bradley interjects, and is now appropriately on the Hansard.

You see, really rich people like Conrad Black, who hosted the multi-million dollar soiree, whose wife, Babs Amiel, was laden down with Louis Vuitton and who was

tripping over her Pradas, all those monies were the property of the shareholders of Hollinger. So here we are, millions of dollars later. Conrad Black has got the loot; let's just hope that he does the time. I can't wait to find out what the Sun reveals as his prison nickname.

Mr. Michael Prue (Beaches-East York): In the States, at least, he'd serve the time there.

Mr. Kormos: By all means, Mr. Prue. Well, no. I'm concerned that, whether he should serve the time in Canada or the United States—no, you see, he's not a Canadian citizen. He had no use for Canada, because he wanted to be milord. But all of a sudden now, milord's orifice is twitching, and the prospect of doing time in Attica with some of the big boys has got Milord Black grovelling and wanting to get his Canadian citizenship back. That's as an aside. The wonderful thing about concurrence in supply is that this is unfettered country, ain't it, Speaker? The sky's the limit.

I'm going to get to the parliamentary assistant to the Minister of Research and Innovation in due course. But I'm not finished yet with the corporate thieves, the Conrad Blacks of North America and the world. He wants his Canadian citizenship back? Oh, please. Line up, pal. Quite frankly, I don't see why we should even be letting the guy into the country when he's facing criminal charges and is on some sort of release order from a Chicago-based court. Do we really let people like that across the border into Canada? I trust that we've got better border security than would allow people like Conrad Black into the country. I expect the sisters and brothers working at the Peace Bridge or the Rainbow Bridge down in Niagara region, when Conrad Black shows up in that chauffeured Maybach—that's a really expensive car—to say, "No. Sorry. We don't let people like you into Canada. You are charged with major, serious crimes and out on some sort of release order."

Mr. Mario Sergio (York West): Persona non grata.

Mr. Kormos: As the member from York West says, now in the Hansard, "You are persona non grata." See, the member from York West shares my disdain for Conrad Black, has no use for him, no time for him.

Conrad Black will be dealt with by the American justice system. I won't shed any tears when he does time. I just do hope that he has to share a cell. Perhaps they can put him into one of those four-person cells so he'll have even more friends. Lord knows, we wouldn't want Conrad Black to be without friendship when he's in prison, would we? To spend however many years that he'll spend without companionship would be inappropriate.

But do you know what folks down where I come from find inappropriate? When the parliamentary assistant to the Premier refers to the 50,000-plus people who have had their good jobs taken from them as crybabies because they've come to government expecting government to do something about the massive job loss here in Ontario. I read the Hansard, and the member from Markham, the parliamentary assistant to the Premier, dismisses these hard-working women and men who have lost their jobs

as crybabies: "Quit your whining. Why don't you get a job?" They had jobs, and those jobs have been taken from them and their communities by this government's policies. Then the same parliamentary assistant, the member from Markham, goes outside in the scrum and justifies his comments. Do you remember that, Mr. Prue? He justifies his comments and then apologizes. I'm sure the script was written by the Premier's office.

2030

Apologies don't cut it with families who have seen their last paycheque. Do you realize how incredibly easy it is to be making \$45,000-a-year and then 12 months later to be on welfare? It's not hard at all, after what Paul Martin did to the EI fund, unemployment insurance, and its assets; he raided that the same way that Conrad Black raided Dominion stores' pension fund. Do you realize that in one year, you can move from a \$45,000 a year industrial job—\$55,000, if you're working overtime at the right place—to being on welfare? The EI, the employment insurance, the unemployment insurance, the poge, doesn't last a year. If you've got kids in college and university, the savings are gone. Not only are the savings gone, but if you've got a couple of kids in college and university, you've put a mortgage on the house again, even though you paid off the original mortgage 10 or 15 years earlier.

If you're really, really, really lucky, you get one of those \$8.50-an-hour jobs pumping gas, working in the car wash, working as the security guard at Kmart. If you're not really, really, really lucky, you end up on welfare, on the dole, not because you did anything wrong but because you did everything right, because you believed in the system. You believed that if you worked hard, if you did your job—and these people did do their jobs—and invested in your community by building a home and paying it off, and invested in your community's future by sending your kid or kids to college and university—welfare in the course of one year. I've seen it happen. I've seen it happen, not only in the communities that we live in down in Niagara but in other parts of Ontario as well.

Some of those as many as 55,000 people who've lost their jobs under the Liberal watch may land on their feet. Most will land on their knees. Some will land flat out, never to get up again. And the member from Markham, the Liberal parliamentary assistant to the Premier, calls them crybabies? They don't earn \$95,000 or \$100,000 a year like the parliamentary assistant does. They don't have the staff budget that allows them to have an executive assistant here and another minion over there. They don't have the luxury of saying, "I was up late last night and I'm really tired, so I think I'll show up at Queen's Park at 10 this morning." These workers don't have that luxury. The parliamentary assistant to the Premier calls working women and men who lose their jobs, who are struck to the ground, whose lives are shattered, crybabies. I say shame on him. Shame on him. Shame on the Premier for not reeling him in.

Earlier today, I had occasion to ask the Attorney General during question period about the crisis in Peel in our courts, about the inadequate standards for court translators, interpreters, working in those criminal courts, amongst others, and the observations of justice Casey Hill about the miscarriages of justice caused by those inadequately trained interpreters and translators. That's under this government, under the Liberal watch, that Canadians for whom the first language isn't English are being denied the most fundamental access to justice because this government has no concern about ensuring that there are effective and accurate translation services.

I had a reporter—Jim Bradley knows him well—Doug Draper, call me from Niagara today, because the regional municipality of Niagara, like so many other cities across Ontario, just registered another concern about the shortage of justices of the peace. What's happening is that we don't have enough justices of the peace. There has been a crisis. This government, Dalton McGuinty and the Liberals, and its Attorney General, Michael Bryant, have known about it and have done nothing in response.

What does it mean to have a shortage of justices of the peace? It means that numerous charges are going to be tossed out of provincial offences court. If it were just parking tickets, one shouldn't be that concerned. But do you understand that in provincial offences court, these same justices of the peace hear charges under occupational health and other legislation when workers are injured, maimed and killed? They hear trials involving environmental concerns, where rivers are poisoned and the air is made toxic. They deal with serious Highway Traffic Act offences wherein there may well have been fatalities. So Dalton McGuinty and the Liberals are going to sit disdainfully by while serious charges get tossed from our provincial offences court because this government won't appoint adequate numbers of justices of the peace.

Let's understand yet another implication of a shortage of justices of the peace, and that is that the ones who are working in our courts have huge dockets. They're the ones that hear bail hearings. When you've got a shortage of justices of the peace hearing huge dockets, which means huge lists of matters on any given day, they do what they can to accelerate things, to speed things up. That's just for their own sake or for the sake of the court staff, for the sake of prosecutors, police and so on. Is it any wonder that some serious errors are being made when it comes to releases of people charged with very serious offences, including offences like walking around a shopping plaza carrying a loaded gun? Do you remember that one? Then about two weeks later, he was charged with killing the guy at the car dealership. He was busted in the first instance. Bob Runciman has raised this countless times in the Legislature. The guy is busted in a public shopping plaza, full of people, with a loaded handgun, and the justice of the peace releases him. It's incomprehensible. The Attorney General never appealed that release order. Two weeks later—I'm not saying the guy did it, because of course the presumption of inno-

cence applies, doesn't it?—he's busted again, charged with a cold-blooded murder.

What's even more interesting is how this government Harnicked Mr. Draper. Mr. Draper, in writing this story and preparing for it, of course called me, but he called the government as well. He called the Attorney General's ministry. He spoke with one Brendan Crawley, a name familiar to any of us who see the press releases. He's the communications person for the Ministry of the Attorney General. Folks might be interested in what the Ministry of the Attorney General had to say about the shortage of justices of the peace: It was because Bill 14 wasn't passed yet. Bill 14 hasn't even been called. Furthermore, Bill 14 has nothing in it that will facilitate the Attorney General appointing justices of the peace.

I can understand Liberals Harnicking about minor matters. I can understand Liberals Harnicking about irrelevant matters. I can even understand Liberals Harnicking us in the opposition, because I'm convinced they do it on a daily basis. But for the Liberals to Harnick a member of the media in that outrageous manner shows the same sort of disdain—think about it—as the member for Markham shows for workers who have lost their manufacturing jobs, the same sort of arrogance, the same sort of “I've got the foreman's job at last; the working class can ... go pound salt.” I'd appreciate an ellipsis inserted before the “go pound salt” to imply that I was contemplating another termination to that phrase. This is the Liberal approach: “I've got the foreman's job at last; the working class can ... go pound salt.”

2040

Why doesn't the Attorney General just admit that this government has failed miserably when it comes to adequate staffing and resourcing of our court system; that the release of a guy caught carrying a loaded handgun in a crowded shopping mall is as much due to overloaded court dockets and the JP shortage as it is to anything else; that the arrogance and disdain and the incredible weaseliness of the language of the parliamentary assistant to the Premier—you see, the Minister of Research and Innovation is also the Premier. Premier/Minister of Research and Innovation—oxymoronic. You see, the Premier tolerates this. The Premier seems to think that this is just fine. Just apologize: “Oops, I'm sorry.” Maybe that's all this guy with the loaded gun has to do: “Oops, I'm sorry.” Or if he did in fact shoot the guy in the car dealership, “Oops, I'm sorry.”

You're talking about 50,000-plus families who are having the rug pulled out from underneath them, whose kids are risking not being able to finish college and university, whose moms and dads could well find themselves on welfare after a lifetime of working hard, of being part of that working middle class.

Needless to say, I'm not very impressed with this government's performance so far. I'm hard pressed to sing its praises when in fact it should start to show some accountability for its deficits and shortcomings, because real lives are being hurt in the process.

I'm going to yield the floor, because I know that when the next round comes, my colleague Mr. Prue will be doing rotation. My colleague will want to wrap up this debate with the final five minutes.

Mr. Prue: I guess maybe I'm going to close the debate in the last five minutes. I don't know whether the members opposite want to debate this bill. You know, I have a little bit of empathy for them, having been in government myself. Interim supply motions are not one of those things that really grab a lot of people.

Mr. Kormos: I always get excited.

Mr. Prue: Yes, I know. My colleague from Niagara Centre gets excited about it because he gets to say anything he wants.

But the reality of an interim supply motion is that the government requires money to keep the ordinary business of government going every day. The civil servants need to be paid, the debts need to be paid, the money has to flow through 100 different government departments. We all realize what that's about. The government needs to pass the motion, otherwise everything would come grinding to a halt on December 31. Now, many people might think that is a good idea, might think that would be a fine thing, because this government has really not done the kind of job that we expected from them.

I remember those heady days after the last election. They weren't very good for New Democrats, but they were hugely good for Liberals. Liberals were so brimming full of confidence about how you were going to change things and make things better for everybody. Most of you sitting over there, after two years, must be more than a little disappointed about where you've come from, what you've done, what you've accomplished and what you can hope to do in the remaining two years. There's still some time to turn it around, still time to go back to those heady dreams you had two years ago and make them a reality. There's still time, but whether you choose to do so or not, I guess, is entirely up to you.

I've got three minutes. I just want to go back to the thing about the 52,000 jobs. I spoke about that the other day. There was a bit of a confrontation between me and one of the government ministers, so I got a bit off topic and then went back and explored another avenue. But it's about the reality of what happens inside a family when the chief breadwinner or one of the breadwinners loses his or her job. Have you ever been in such a family? I think some of you probably have, when you're a kid and your parent comes home and says, "I lost my job today." Do you remember it? Can you think about it? Can you think about how the family felt? Oftentimes, it's not their fault. We have all had people come into our office—I'm sure you have too—where a giant company like IBM downsizes and people who thought they had marketable skills and were set for life because they understood how computers work found out that their job had been downsized, had been farmed out and was now being done by somebody in another country for one third the salary. I've talked to those people. I've tried to help them find another job. They are totally and completely devastated.

If ever they needed a government, if ever they needed a program to get back on their feet, those are the people who need it. I haven't heard this government talking about those kinds of programs. I haven't heard anybody say anything about it except in the most general terms about how we have to help them or how the employment insurance program will do or about how they can eventually apply for welfare.

Ms. Kathleen O. Wynne (Don Valley West): What do you think the LMDA is about?

Mr. Prue: The member opposite asks what I think the LMDA is about. The member who sits beside her calls people crybabies, and she has the nerve to ask me these questions. I am telling you that the government program needs to look after those people who find themselves in difficult circumstances. You need to do it because people, through no fault of their own, find themselves downsized. They find their company folding up and moving to Mexico. They find that their skills are no longer necessary. They find that, after 20 or 30 years committed to a particular place to work, it's not there any more.

On the last occasion, I mentioned something, and I want to put this idea to you again. The last government, the one you replaced, took away benefits to people on ODSP or on general welfare who were between 60 and 65. It used to be topped up. I'm telling you that you need to look at that program again, because of the 52,000 people who have found themselves suddenly unemployed in Ontario this year, a great many of them are between 60 and 65 years of age. The chances of them finding another job through the beloved LMD agreement are remote at best. When the employment insurance runs out, as it will, there needs to be another program. I suggest you look to reinstate that program that was brutally taken away by the last government, because thousands of people in this province are in desperate need of your bringing something like that back.

The Acting Speaker: That concludes the debate.

Mr. Duncan has moved concurrence in supply for the Ministry of Public Infrastructure Renewal. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Health and Long-Term Care. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Children and Youth Services. Is it the pleasure of the House that the motion carry? Carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Natural Resources. Is it the pleasure of the House that the motion carry? Carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Training, Colleges and Universities. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Citizenship and Immigration. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Agriculture and Food. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Transportation. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Education. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Energy. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Tourism and Recreation. Is it the pleasure of the House that the motion carry? Carried.

Mr. Duncan has moved concurrence in supply for the Ministry of Northern Development and Mines. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.

Mr. Duncan has moved government notice of motion number 56. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it, and that motion carries as well.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move that the House be adjourned.

The Acting Speaker: The government House leader has moved the adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

This House stands adjourned until tomorrow at 1:30 p.m.

The House adjourned at 2054.

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Mercredi 14 décembre 2005

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Honourable Michael A. Brown

Clerk
Claude L. DesRosiers

Président
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Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 14 December 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 14 décembre 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

GROVES MEMORIAL COMMUNITY HOSPITAL

Mr. Ted Arnott (Waterloo–Wellington): On Monday of this week, I was scheduled to ask the Minister of Health a question concerning the redevelopment of the Groves Memorial Community Hospital in Fergus. Unfortunately, I was unable to put my question because the government members deliberately dragged out their staged questions and responses, effectively killing the clock. I had intended to ask the minister why it's taking the government close to two years to give Groves Memorial hospital the approval they need to move forward on our ambitious and visionary plans for hospital redevelopment to improve health care for our residents.

There's been much talk in this House in recent days about wait times. The Ministry of Health now has a wait times Web site which showed that the waiting lists are growing longer and the situation is getting worse, not better, for most procedures. This is a fact that the minister has yet to categorically deny.

Now we see that there should be a Web site tracking the wait times of hospital redevelopment approvals. Surely the minister would agree that our community should not have to wait almost two years, or more, just to proceed to the next stage of planning for our new, redeveloped hospital.

I've written the minister numerous times, I've raised this in the House, I've spoken to the minister privately, and I've asked him about this in estimates committee. Our community has raised some \$15 million in donations and pledges, an extraordinary amount of money for a small community and an extraordinary expression of support for the dedicated, compassionate health care that the staff of Groves provides.

My constituents have waited long enough for this minister to respond to our health care needs, which is ultimately what the Groves Memorial redevelopment plan is all about. I call upon the minister to grant this necessary approval before Christmas.

TRANSIT SERVICES

Mr. Mario G. Racco (Thornhill): Last week, Toronto city council unanimously approved the Spadina

subway extension environmental assessment study. The people of the region of York feel they have moved one step closer to the realization of a subway line coming all the way up to York University and beyond. The subway extension is supported by the residents of Thornhill as well as residents and officials across the GTA.

As founding chair of the Spadina-York subway extension committee, I'm pleased to see this progress. Although I have not been a member of this committee since taking my seat here at the Legislature, it is still a project I strongly support, and I look forward to it one day becoming a reality. The committee, chaired by my wife, Councillor Sandra Yeung Racco, is pleased with the progress so far and will continue to support the implementation of the subway extension and the planning for a second phase from Steeles Avenue to the Vaughan Corporate Centre.

The Spadina subway extension would provide easier access to the region of York and York University, Canada's third-largest university, which accommodates nearly 50,000 students. The extension will reduce the gridlock and congestion on all arterial roadways, providing a safer ride home for GTA residents. In addition to these benefits, the development around the extension will boost the local economy and provide much-needed housing and jobs.

I'm pleased today to continue to support the construction of the subway all the way to Steeles. Not only the city of Toronto will benefit, but also the region of York.

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Norman W. Sterling (Lanark–Carleton): I rise today to bring the attention of the members of the House to the plight of the severely developmentally disabled residents of Rideau Regional Centre and two other facilities.

Families of these residents have taken the province to court to fight the closure of these facilities. While yesterday's hearing did not provide a final decision, the judges did offer an extension to the injunction, preventing residents from being moved out of the facility without consent. This was a great relief for families that were facing the possibility of having their loved ones discharged from Rideau Regional Centre starting at the end of this month. These families can now enjoy their holidays without the immediate stress of worrying about what will happen to their loved ones.

We all recognize that many former residents have been successfully integrated into our communities. However, those who remain in the residences are the most challenged, with severe physical and mental disabilities. Neither social workers nor the McGuinty government knows what is best for these people. Let the families and the residents make their own decisions. Stop being Big Brother to these families of our most vulnerable citizens.

VISITORS

Mr. Khalil Ramal (London-Fanshawe): I'd like you to join me in welcoming my staff from London today: Julie Misener, Steve Rollason, Zina Atta and Mariam Abdo.

Mr. Peter Kormos (Niagara Centre): On a point of order, Mr. Speaker: Our staff are unionized. We've got some cards to sign up if you want decent wages, fair pensions and good vacations.

CHILDREN WITH SPECIAL NEEDS

Ms. Andrea Horwath (Hamilton East): In the estimates committee, I pushed for assurances that a new \$10-million allocation of funds from the Ministry of Children and Youth Services would go directly to providing financial help to parents of special-needs children. I thought I had received such assurances. I raise the case of Treva Bassett, a severely disabled 17-month-old Hamilton girl whose parents are at high risk of caregiver burnout. The Bassetts receive only 25% of the amount they are entitled to receive to care for Treva's very complex medical problems. Little Treva has been in and out of hospital since nine days of age. She had open-heart surgery when she was two weeks old. She requires constant one-on-one, qualified nursing care.

The McGuinty Liberals promised, with their new allocation of funds this November, that help was on the way for parents like the Bassetts. About a month later, the ministry is saying the money is gone. Treva's parents and their advocates at the Hamilton Family Network are in a state of disbelief. Despite the McGuinty government's promises and the \$10 million supposedly earmarked for in-home services for children with severe disabilities, the Bassetts won't receive the help they need. The stress, expense, isolation and exhaustion are taking a heavy toll on the family. I could go on in great detail, but the bottom line is: To announce the funds and then leave dedicated parents like the Bassetts desperate for assistance is so cynical and so sick.

As the NDP critic for children and youth issues, I'm making it my mission to find out why this government continues to deny parents the in-home supports that their sick and disabled children so desperately need.

LEONARD GERTLER

Mr. Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I rise to pay tribute to Mr. Leonard

Gertler, who passed away last Friday. Mr. Gertler was perhaps best known as a founder of urban planning in Canada, including the School of Urban and Regional Planning at his beloved University of Waterloo, where he taught for many years. Leonard's landmark study of the Niagara Escarpment opened the way for its protection under the Niagara Escarpment act and its eventual designation by UNESCO as a world biosphere reserve.

Mr. Gertler was pleased and proud to see the McGuinty government's commitment to preserving 1.8 million acres of farmland, streams and lakes, wildlife habitat and recreational lands fulfilled through the greenbelt initiative. For decades, 100,000 acres of tender-fruit orchards, fields and vineyards in the Niagara Peninsula have been under pressure. Finally, thanks to the pioneer efforts of Leonard Gertler, these lands will be protected in perpetuity and used for specialty agriculture rather than mindless urban sprawl.

The greenbelt is an important legacy. In many respects, it is Mr. Gertler's legacy as much as it is this government's. Leonard Gertler fought for years to have us open our eyes to the beauty and promise of our rich environmental heritage. With his passing, our world will never be the same; but because of his life, our world will always be a better place. Our best wishes are extended to Mr. Gertler's family during this difficult time.

1340

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Garfield Dunlop (Simcoe North): Minister Papatello must have some real concerns about the case that the families of Huronia and Rideau regional centres have against her. Our tax dollars went to support a large cadre of legal personnel: five lawyers, one articling student and about half a dozen paralegals. Is it so important that you strike down these facilities that provide such an important safety net for the profoundly developmentally disabled of our province?

The minister's lawyers actually entered into evidence proof that when other facilities were closed, many of the residents were moved into the remaining facilities, and when a placement didn't work out, many more were transferred into the facilities that are still open today.

The ministry's lawyers also acknowledged that once the residents are moved into group homes, they are not covered under the health services act from whence the families' roles as substitute decision-makers flow. They go out into an even more grey area of legal rights and supports than they are in now, and that's saying something.

It is a disgrace that there have been no amendments to this act to address the legal needs of these individuals. It is an even bigger disgrace that the crown lawyers said the government refused to disclose to the court when the actual decision of cabinet was concerning these closures. The judges were aghast, as we all should be. What was the decision? To close all three, to leave one open, how to treat people?

The crown lawyers indicated that all they needed to show was Minister Papatello's press release, and thus her discretion to change the lives of 1,000 disabled and all their families would become a reality. Broad discretion, no plans and no responsibilities. No wonder the families are worried. It is disgraceful that the McGuinty government has made such an ill-conceived and mean-spirited decision affecting the lives of the most vulnerable people in our society.

NUCLEAR ENERGY

Mr. Tim Peterson (Mississauga South): I am pleased to rise today to talk about a unique Canadian technology whose head office is in Mississauga South. The company is Atomic Energy of Canada Ltd. and its exclusive technology is known as the Candu nuclear reactor.

While many people were once nervous about nuclear power plants, they are the basis of 50% of the non-polluting, reliable and inexpensive power in Ontario. Candu nuclear reactors release no air pollution like coal or natural gas. Over the last 40 years it has proven to be safe and reliable, and at less than five cents a kilowatt, it is much less expensive than wind, solar, biomass or natural gas. As you all know, natural gas prices have increased threefold in three years and have gone from \$2 to \$15 in five years.

Candu reactors have a tremendous business potential for suppliers in Ontario. Each exported nuclear plant costs about \$1.5 billion. Of that, between half a billion and \$1 billion of business would be placed with Ontario companies. It is anticipated that China will buy over 40 nuclear plants in the next 20 years. Imagine the business potential for Ontario.

Here in the audience today we have three people from AECL and I'd like them to stand: Rosemary Yereman, manager of stakeholder relations at AECL; Dale Coffin, director of communications; and Ken Petrunik, senior vice-president and CEO of AECL.

Mr. Petrunik was responsible for building a Candu reactor in China—

The Speaker (Hon. Michael A. Brown): Thank you.

BOOK DONATION

Ms. Jennifer F. Mossop (Stoney Creek): I recently was given a book called *A Dark Legacy: A Primer on Indian Residential Schools* by Bud Whiteye. Whiteye's book chronicles how he was plucked from his carefree boyhood with his family in southern Ontario. Without his parents' consent and allowed no goodbyes, Bud and his siblings were scooped up by white strangers in a black government car and driven to Brantford, to the Mohawk Institute. That's when the relentless abuse began.

A review of the book says, "Bud Whiteye's unforgettable story stands out as an important contribution to the general public's imperfect knowledge of Canada's Indian residential schools. Although there are many

books and larger volumes available on the subject, this survivor's primer is unequalled in its frank and fearless telling. Read it and weep."

I invite all members to read the book, as a copy has been donated to the legislative library by the reviewer, who happens to be in the House with us today and who is a distinguished Canadian himself.

G. Campbell McDonald went to war for his country and returned to a journalistic career that included newspapers, radio, television, public relations, government communications and teaching. For many years he provided valuable service in this place as director of communications for Premier Davis. His integrity and non-partisan nature meant he continued to work under the Peterson government, and his legacy of professionalism is recognized to this day.

G.C. McD is distinguished for many things, but he is distinguished by his unbridled and hair-trigger enthusiasm and sense of delight and fun. Welcome, G. C. McDonald.

DEMOCRATIC RENEWAL

Ms. Monique M. Smith (Nipissing): I rise in the House today to celebrate the passing of Bill 214, the Election Statute Law Amendment Act. Our government is bringing democratic renewal to Ontario. Unfortunately, the official opposition voted against this bill yesterday.

Through this legislation, for the first time in Ontario's history, we will have fixed election dates. It has become universally accepted that fixed election dates are a vital step toward strengthening democracy.

As well, the amendment to the Election Finances Act now endorses real-time disclosure of financial contributions. This increases openness and transparency in our political process, something all Ontarians deserve and something we have delivered.

This legislation also aligns the 96 southern electoral districts with our federal counterparts, but more importantly for the people of the north whom I represent, it preserves the 11 electoral districts in the north. Interestingly, the official opposition said they support 11 ridings in the north, but then chose to vote against it. They want to take away the voice of northern Ontarians and take away a northern seat in this Legislature. We support full northern representation, and that includes 11 seats, not 10. The leader of the official opposition has accused me of not standing up for the north. Well, I would ask him how, by reducing the number of seats in this Legislature and northern voices, he is supporting the north.

Our government supports economic development in the north through our investments in education, in health care facilities, in our northern colleges and universities, through GO North, grow bonds and through various projects under the northern Ontario heritage fund. I speak for all Liberal members of this Legislature when I say that the culture—

The Speaker (Hon. Michael A. Brown): Thank you.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Michael A. Brown): I beg to inform the House that today the Clerk received the report on intended appointments dated December 14, 2005, of the standing committee on government agencies. Pursuant to standing order 106(e)(9), the report is deemed to be adopted by the House.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Norman W. Sterling (Lanark-Carleton): I beg leave to present a report on media tax credits from the standing committee on public accounts and move the adoption of its recommendations.

The Speaker (Hon. Michael A. Brown): Does the member have a brief statement?

Mr. Sterling: Yes, Mr. Speaker. The public accounts committee met some time ago, but drew a unanimous report with regard to recommendations to the ministry with regard to media tax credits.

We made six recommendations, but there are two of significant interest that we would like to stress. One is that we want the Ontario Media Development Corp. to pay a lot of attention to improving their process and further reducing delays in the payment process. We believe this is absolutely essential for the media industry. Secondly, we believe that the OMDC should publish information on all tax credits awarded. This information should include, but should not be limited to, the recipient's name, a project description, the amount awarded and the date of approval. This information should be posted upon awarding of the credit by the Ministry of Finance. In other words, the committee felt very strongly that the past practice of not publishing some of these particular awards or grants should no longer be tolerated. We believe that anybody who receives the taxpayers' money should have to agree to have their name and the amount that they are receiving published.

With that, I will adjourn the debate.

The Speaker: Mr. Sterling moves the adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

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STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms. Andrea Horwath (Hamilton East): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

The Clerk-at-the-Table (Mr. Todd Decker): Your committee begs to report the following bill without amendment:

Bill Pr23, An Act to revive Sidoff's Cleaners & Tailors Limited.

The Speaker (Hon. Michael A. Brown): Shall the report be received and adopted? Agreed.

STANDING COMMITTEE ON ESTIMATES

The Speaker (Hon. Michael A. Brown): Pursuant to standing order 60, the estimates of the Office of the Assembly, the Office of the Auditor General, the Office of the Chief Election Officer and Ombudsman Ontario, not selected for consideration by the standing committee on estimates, are deemed passed by the committee and reported to the House in accordance with the terms of the standing order and are deemed to be received and concurred in.

INTRODUCTION OF BILLS

STRONGER CITY OF TORONTO FOR A STRONGER ONTARIO ACT, 2005

LOI DE 2005 CRÉANT UN TORONTO PLUS FORT POUR UN ONTARIO PLUS FORT

Mr. Gerretsen moved first reading of the following bill:

Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto / Projet de loi 53, Loi révisant les lois de 1997 Nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d'intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d'intérêt privé se rapportant à la cité de Toronto.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Does the minister have a brief statement?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'll wait until ministerial statements, thank you, Speaker.

APPLE CAPITAL OF ONTARIO ACT, 2005

LOI DE 2005 SUR LA CAPITALE DE LA POMME EN ONTARIO

Mr. Murdoch moved first reading of the following bill:

Bill 54, An Act to proclaim the Apple Capital of Ontario / Projet de loi 54, Loi proclamant la Capitale de la pomme en Ontario.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Does the member have a brief statement?

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): I do have a brief statement, sir. If this bill is passed, it would proclaim Meaford as the apple capital of Ontario. We have numerous acres of apple orchards there with a farm gate value of \$12,000 to \$15,000 annually. We have many orchards and roadside markets up there and we also have the famous Grandma Lambe's apple pies that come out of Meaford. My good friend Mr. Chudleigh's company buys apples from our area also.

So if this is approved, Meaford will become the apple capital of Ontario.

MOTIONS

COMMITTEE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I seek unanimous consent to move motions related to committees of the Legislature.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has asked for unanimous consent to move motions relating to committees of the Legislature. Agreed? Agreed.

Hon. Mr. Bradley: I move that the December 7, 2005, order of the House referring to Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access, to the standing committee on justice policy be discharged, and that the bill be referred instead to the standing committee on general government.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has moved that the December 7, 2005, order of the House referring Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access, to the standing committee on justice policy be discharged, and that the bill be referred instead to the standing committee on general government. Is it the pleasure of the House that the motion carry? Carried.

Hon. Mr. Bradley: I move that the following committee be authorized to meet during the winter adjournment, in accordance with meeting dates as determined by the subcommittee, to examine and inquire into the following matter:

The standing committee on general government to consider Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access; and

that all committees be authorized to release their reports during the winter adjournment by depositing a copy of any report with the Clerk of the Assembly, and upon the resumption of the meetings of the House the Chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

The Speaker: Mr. Bradley has moved that the following committee be authorized to meet during the winter adjournment, in accordance with meeting dates as determined by the subcommittee—dispense? Agreed. Shall the motion carry? Carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

CITY OF TORONTO

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'm pleased today to introduce the Stronger City of Toronto for a Stronger Ontario Act, 2005. Before continuing, I'd just like to introduce in the members' gallery today Mayor David Miller from the city of Toronto, as well as Councillor Howard Moscoe.

Today is a great day for the people of Ontario and for Toronto, its capital city. It is the dawning of a new era in municipal affairs in this province. This bill, if passed, would enable our capital city to determine for itself what's in the best interests of Toronto and its people. The city would have greater flexibility to address its needs and respond to the challenges it faces.

It is time to recognize the mature status of the city of Toronto and work toward providing it with the tools and means it needs to thrive in a global economy. I challenge and urge my colleagues across the aisle, now that we've passed the Respect for Municipalities Act, 2005, to take the next step forward and carefully examine the new approach for the city of Toronto government proposed in this bill.

Let me give you a brief overview of our proposed legislation. The Stronger City of Toronto for a Stronger Ontario Act, 2005, if passed, would give the city broad permissive powers for municipal purposes. It would provide for a strengthened accountability framework, with a more effective lobbyist registry, Integrity Commissioner, codes of conduct and an Auditor General. It would allow Toronto city council more flexibility to delegate powers and responsibilities to committees, boards and staff. It would give general authority to the city to levy taxes, but with limitations, such as no tax on personal or corporate income; no tax on wealth or payroll; no capital tax, no tax on gas or hotels; and no sales tax except for a tax on the sale of entertainment, alcohol and tobacco.

1400

Ontario has been a leader in fostering a strong consultative relationship with its municipal sector. We believe that the relationship between the province and the

city of Toronto should be one of ongoing reciprocal consultation. The city should be advised of proposed future provincial directions, and we would expect the city to consult with the province on upcoming decisions or policy directions that affect the provincial government. This is far removed from the paternalistic approach that the province has traditionally taken. Instead, it's a new kind of relationship—a relationship between peers, a true partnership. That's the kind of autonomy our government wants for the city of Toronto.

This bill would also lay the foundation for a new, more mature relationship between the city and other levels of government. The success of Toronto requires the active participation of governments working together in partnership based on respect, consultation and co-operation. This bill formally recognizes the city of Toronto's importance to Ontario and to Canada by expressly acknowledging the city's ability as a mature government to enter into agreements with the government of Canada.

This bill is a critical step in realizing the vision that is shared by our governments and the city's residents of a culturally vibrant, economically strong and environmentally sustainable Toronto. Our aim is to allow the city to better compete against other major urban centres across the globe.

If passed, this legislation would allow the city to pass bylaws regarding matters ranging from public safety to the city's economic, social and environmental well-being. These future bylaws would also deal with the financial management of the city and the accountability and transparency of its operations. These powers would permit the city to promote and support things that it wants to see happen and regulate or prohibit those that it does not. The city could control the demolition of rental housing or its conversion to condominiums to better protect affordable housing stock.

The bill, if passed, would also give the city broader authority to undertake economic development without seeking the province's approval, and boost Toronto's competitiveness worldwide.

While Toronto needs to be able to make its own decisions, it must still be subject to limits for matters within provincial jurisdiction. Generally, with the exception of the Municipal Act, 2001, all provincial acts that impact municipalities will continue to apply to the city.

The city would have more power to control its own destiny with the passage and enactment of this bill.

With these new powers comes an absolute requirement of accountability. As I mentioned, our legislation would provide for a new accountability framework, including the appointment of an Integrity Commissioner, an ombudsman, a stronger lobbyist registry, codes of conduct and an Auditor General.

The city's approach to its own governance structure is also key to enhancing accountability and transparency, so I'm pleased to note that the city has accepted in principle recommendations made by the Governing Toronto Advisory Panel to strengthen the mayor's role and create an executive committee.

The board of trade, the TD Bank and the Toronto City Summit Alliance, to name but a few, have been advocates of change. Community leaders, academics and interested citizens have advocated a new approach to city government.

Our government heard that call in September 2004, and the Premier took action. The joint task force to review the City of Toronto Act was established, and provincial and city staff worked long and hard for more than a year. That task force recently recommended that the city be given broad new powers and a strengthened accountability framework.

Over the past months, we have heard from many stakeholders and parties interested in this legislation and our review of the Municipal Act. We will be continuing our dialogue with the city, the Association of Municipalities of Ontario and municipalities across the province over the coming months on these issues, including the fiscal challenge that all Ontario municipalities currently face.

During its work, the task force also consulted the public. For the first time ever, last June the province and the city co-hosted simultaneous public consultations at four sites across Toronto, linked by video conferencing, to seek public input on how to proceed. This consultation was supplemented by on-line consultations throughout June and July this past year.

In addition, Toronto city councillors and Toronto-area MPPs conducted their own discussion sessions with their local constituents. The citizens offered thoughtful and constructive ideas. There's no shortage of views and suggestions on how the province should change the way the city is governed and how the city should govern itself, and I expect that we will hear more of the views as we consider this legislation in this House and at committee hearings.

Our government believes that the city of Toronto is a mature government that can ably represent its needs for the benefit of city residents. It is time to move forward and give the city the tools it needs to compete on a global scale.

I began by saying that today is a great day for the people of Ontario and Toronto, its capital city: the dawning of a new era in municipal affairs. As I mentioned, many in Toronto and indeed across this province have been champions for change and have yearned for this day to arrive. It is indeed a golden day for Ontario. It is an historic moment for Toronto and indeed for all of Canada. It's an occasion in which we all have played a role, and all those who have played a role can take a tremendous amount of pride.

The Speaker (Hon. Michael A. Brown): Response?

Mr. John Tory (Leader of the Opposition): I rise on behalf of the Progressive Conservative Party to respond to the introduction of the Stronger City of Toronto for a Stronger Ontario Act, 2005. Toronto is very much in need of a new relationship, a new series of solutions. I said so many times when I was running for mayor of the city; I said so as one of the founders of the Toronto City Summit Alliance. A lot of good work has been done by

many people in many places, and I want to thank all of those involved in the process. But I am concerned that the victory party has begun before that new relationship has really been achieved. We're pleased to accept the minister's invitation to carefully examine the bill and all that goes with it in terms of forging an overall new relationship.

There were a number of elephants in the meeting room when all these discussions began some time ago, and by that I want to make clear that I'm not making any reference to the mayor of Toronto. I avoided, in 11 months of campaigning with him for the mayor's job, calling him a name, nor did he ever call me a name. But there were a number of elephants in the meeting room when the discussions began, and I think it's fair to say that some of the small but important elephants have been addressed in this bill. I have said, for example, for many years that it makes no sense that speed bumps or something as important as a lobbyist registry should involve one of the biggest governments in the country having to come and beg and plead to Queen's Park to have permission to implement those kinds of things.

But right now, as we speak, there are two big elephants left sitting in that meeting room, and they're feeling a bit neglected as they hear the victory party begin. The first is the biggest elephant of all: the fiscal imbalance elephant. Toronto and all other municipalities need a proper balance between their responsibilities and their fiscal capacities. This is the first thing I would have addressed in terms of quantifying the size of the elephant, the size of the fiscal imbalance that exists between the province and municipalities, and then deciding what we could do about it. What tools, what actions, what steps do we have to try and address that? With that number established, we then could have done a review of who does what, something that I have established and committed myself and our party to doing.

Interjections.

The Speaker: Stop the clock. Order. The Minister of Community and Social Services. Order.

Interjections.

The Speaker: Oh. The member for Leeds–Grenville. Leader of the Opposition.

1410

Mr. Tory: With that number established, we could have done a review of Who Does What involving all three orders of government, given that the federal government is awash in surplus funds, many of them coming from Ontario and Toronto taxpayers, as we've discussed here many times.

Today, the victory party has begun, and instead of finding a way to deal with the \$500-million fiscal problem, we have decided that the answer may lie in letting government reach inside the pockets of Toronto taxpayers for what might be \$50 million, based on all the estimates I've seen. If all those taxes were imposed and if we reached further into the pockets of taxpayers, it would go a tenth of the way to addressing the real problem, but it leaves the rest of it for some other day, and I'm not

sure when that day is; not to mention what was done to the Taxpayer Protection Act, which, agree with it or not, the Premier signed on to of his own free will during the course of the 2003 election.

The second elephant that's left behind in that meeting room, feeling quite lonely at the moment, is the accountability elephant. Simply put, there are many people and commentators who agree that the city of Toronto needs a more accountable government. Some of the steps in the bill to do with the compulsory integrity commissioner, an auditor general and so on, are steps in that direction, but I think people feel there's more to be done in that area. That's part of what we have to do in having that careful examination of this bill that the minister suggested. We need that accountability immediately.

If you are looking for evidence, you need look no further than two very recent examples. The first is what I call the pay raise fiasco, where we had a pay raise getting approved by the city council and then at least half the members of that council claimed they didn't know what they had voted for. The second is very recent, and that's the St. Clair streetcar situation. Whatever one thinks of the project itself, it is beyond comprehension to a lot of taxpayers and to me that you can see the cost estimate for a project like that climb 50% in a matter of days.

On accountability, this bill is like a Christmas card that says, "Best wishes for a more accountable New Year." Quite frankly, I think we need a lot more than that.

We have changes for the better in terms of independence of action for the city, but Toronto will still face a shortfall of several hundred million dollars come budget time and will still continue to ship its tax dollars to Ottawa. And if Premier McGuinty, frankly, doesn't like the solution Toronto finds for its own governance, he still gives himself the right to impose one.

The elephants wait in the meeting room, and there is less change here than meets the eye. We will treat it as an unfinished piece of work. We will be looking for lots of time to have these discussions the minister talks about and hear what taxpayers and citizens have to say before we pass this most important piece of legislation about this very important city, which is indeed vital to a strong Ontario.

Mr. Michael Prue (Beaches–East York): I have been anticipating and waiting for this day for a long time. I want to tell you that this is an amendment to what I would only describe as the most hated bill ever passed by this Legislature. If you remember those days, the division bells rang day after day and week after week, and people sat in this House right through the night trying to stop it.

I will tell you that what it has done to this city, which I have lived in all my life, has not been good. The bill was passed over the objections literally of almost every single citizen in what is now the mega-city of Toronto, and against the wishes of all of the councils, all of the mayors, the board of trade, anyone else who cared about it and anyone else who spoke about it. And now we have a bill to amend that very hated bill.

This was a forced amalgamation. It literally led to the destruction of citizen participation in this city. It down-loaded services to a city that can no longer afford to pay for them. In fact, it has beggared the sixth-largest government in Canada, which every year has to come before this Legislature asking for money.

Today we were given a report as I entered the chamber. I have the report. It reminds me a little bit of going to a council meeting in Toronto, because it's handed to you, it's about 500 pages thick, and then you have to talk about it. But I promise you, over the weeks and months while this bill is being considered, I will read every single word in detail.

In the minister's speech, he started taking credit for what this bill is going to do and I had to chuckle a little. The lobbyist registry was established by the citizens and the committee and the city of Toronto already. The Integrity Commissioner was one of the first acts we did—we have members here in this Legislature—when the city was formed. The code of conduct was moved by my colleague at that time, Joe Mihevc, and still is extant at the city of Toronto. The Auditor General: I see the new member for Scarborough–Rouge River. It was he and I and one other member who established the thing in the first place, and it's working very well. I wonder how the credit is being claimed in this bill.

Much has been made about the ability to tax in this bill. That's what I've read about in the papers—about the hotels, alcohol, cigarettes, licensing and parking. But this does not amount to what the city really needs. The city has about a \$500-million deficit leading into this year, and this will give them, in all estimates, only around \$50 million. That means there's going to continue to be, in the city of Toronto, a \$450-million deficit.

On so many occasions I've heard the Premier stand up and talk in this Legislature about the \$23-billion deficit between Ontario and the federal government. I want to tell you that there is at least a \$3-billion to \$5-billion deficit between the city of Toronto and the province of Ontario, and that needs to be addressed in absolutely the same way. They cannot be coming here year after year as beggars in this province.

I want to talk a little bit about governance, because I was troubled over the weeks leading up to today by the Premier's statements that he was making his support and the support of his government conditional upon a strong mayor system. I don't know whether that is still his opinion, because it seemed to soften a little bit when he was in the United States yesterday, but to quote Mayor Miller, who is here today, Toronto doesn't need a strong mayor system; Toronto needs a strong mayor. I think he is that strong mayor and I support him.

Ditto for council. Council needs to be a strong council. It doesn't need to be centralized. What it needs to do is give the power back to the citizens: to the citizens who before had power, the citizens who belonged to the boards and committees, the citizens who could make deputations and who find it increasingly difficult to do so, the citizens who used to belong and to participate, the

ratepayers' groups. They have all become very much weakened.

What we need to do is decentralize that power. I am looking forward to the city of Toronto doing exactly that. If it is contingent upon a strong mayor system, I would much rather have a strong citizens system and to have you support it.

I am also looking forward in the weeks and months that come to other municipalities sharing in the changes that are being made. Ottawa deserves it; Hamilton deserves it; Mississauga and London and everybody else deserves it; and we're waiting for—

The Speaker (Hon. Michael A. Brown): Thank you.

VISITORS

Mr. Jeff Leal (Peterborough): On a point of order, Mr. Speaker: I know you'll rule whether this is a substantive point of order or not, but in the members' east gallery today are my constituency assistant from Peterborough, Ryan Sisson, and his guest Kyllie Jansen. I'd like everybody to welcome them.

The Speaker (Hon. Michael A. Brown): Thank you.

DEFERRED VOTES

BUDGET MEASURES ACT, 2005 (No. 2)

LOI DE 2005

SUR LES MESURES BUDGÉTAIRES (n° 2)

Deferred vote on the motion for third reading of Bill 18, An Act to implement 2005 Budget measures and amend various Acts / Projet de loi 18, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2005 et modifiant diverses lois.

The Speaker (Hon. Michael A. Brown): Call in the members. This will be a five-minute bell.

The division bells rang from 1418 to 1423.

The Speaker: Mr. Duncan has moved third reading of Bill 18, An Act to implement 2005 Budget measures and amend various Acts. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Hoy, Pat	Peterson, Tim
Balkissoon, Bas	Kennedy, Gerard	Phillips, Gerry
Bartolucci, Rick	Kwinter, Monte	Pupatello, Sandra
Bentley, Christopher	Lalonde, Jean-Marc	Qaadri, Shafiq
Berardinetti, Lorenzo	Leal, Jeff	Racco, Mario G.
Bradley, James J.	Levac, Dave	Ramal, Khalil
Broten, Laurel C.	Marsales, Judy	Ramsay, David
Brownell, Jim	Matthews, Deborah	Rinaldi, Lou
Cansfield, Donna H.	Mauro, Bill	Ruprecht, Tony
Caplan, David	McGuinty, Dalton	Sandals, Liz
Chambers, Mary Anne V.	McMeekin, Ted	Smith, Monique
Colle, Mike	McNeely, Phil	Takhar, Harinder S.
Cordiano, Joseph	Meilleur, Madeleine	Van Bommel, Maria
Craiton, Kim	Millroy, John	Watson, Jim
Delaney, Bob	Mitchell, Carol	Wilkinson, John
Dhillon, Vic	Mossop, Jennifer F.	Wong, Tony C.
Duguid, Brad	Patten, Richard	Wynne, Kathleen O.
Gerretsen, John	Peters, Steve	Zimmer, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Arnott, Ted
Bisson, Gilles
Hardeman, Ernie
Horwath, Andrea
Hudak, Tim
Jackson, Cameron
Klees, Frank
Kormos, Peter
Marchese, Rosario

Martel, Shelley
Martiniuk, Gerry
Miller, Norm
Munro, Julia
Murdoch, Bill
O'Toole, John
Ouellette, Jerry J.
Prue, Michael
Runciman, Robert W.

Scott, Laurie
Sterling, Norman W.
Tascona, Joseph N.
Tory, John
Wilson, Jim
Witmer, Elizabeth
Yakubski, John

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 54; the nays are 25.

The Speaker: I declare the motion carried.

Be it resolved that the bill be now passed and entitled as in the motion.

ORAL QUESTIONS

ECONOMIC DEVELOPMENT

Mr. John Tory (Leader of the Opposition): My question is for the Premier. Since the last time we discussed this, the number of lost manufacturing jobs in Ontario this year has now topped 52,000. November was a particularly devastating month, with the announcement that General Motors in Oshawa and St. Catharines, Domtar in Cornwall, and Cascades in Thunder Bay will be laying off a total of 5,300 people.

Premier, given that this is the first opportunity we've had to question you on this, why is your parliamentary assistant still in his job, given his unacceptable remarks that these people who have lost their jobs and these communities that have been devastated by these layoffs shouldn't come "as crying babies to the province"? Why is he still there?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The leader of the official opposition described the comments made by my parliamentary assistant as being unacceptable, and I agree with him entirely in that regard. Having said that, my parliamentary assistant did in fact apologize. Those comments do not express the sentiments and understanding of this government. The fact of the matter is that, notwithstanding that during the course of the past two years this Ontario economy has generated some 215,000 new jobs, there are people who have been caught up in some of this downsizing and restructuring. Those people are feeling real pain and real anxiety, and it's going to be a particularly bleak Christmas season for them. Again, my parliamentary assistant has apologized. I accept that apology, and we're prepared to move on.

Mr. Tory: I'll merely quote the Toronto Star and what they had to say about this. They said that Tony Wong, who is the Premier's parliamentary assistant, "has made

remarks so outrageous that he is no longer credible in the post."

We moved a motion last week calling on your government to bring forward an immediate comprehensive action plan to help these 52,000 men and women who are, as you said, going to have a very bleak Christmas indeed—the women, men, families and communities that have been devastated by these layoffs. The House passed that motion unanimously, with support from government members. By what specific date can we expect that your government will come forward with this plan, with specific details as to what your government is going to do to help these men, women, families and communities devastated at the Christmas season by these layoffs and over the course of this year? When will we see it?

1430

Hon. Mr. McGuinty: We have, since day one, been working as hard as we can to lay down those conditions that will support strong economic growth. I like to think that, at least in part, that's one of the reasons why we have 250,000 net new jobs. Now, I know that the leader of the official opposition is inclined to do so, and in part that is in keeping with his responsibilities, but it's not all bad news. We've created 250,000 net new jobs. I have a very extensive list here, and I'll just begin to go through some, because I know you're going to cut me off. Kuntz Electroplating has hired 50 to 60 new employees, general labourers and polishers to meet increased demand in Kitchener. Research in Motion has announced plans to hire 1,200 new employees over the next year in K-W. Christie Digital Systems Canada, a Kitchener digital projection system, has hired 45 new employees since September and has plans to hire another 30 by early—

The Speaker (Hon. Michael A. Brown): Thank you. Final supplementary.

Mr. Tory: The Premier didn't answer my question. The Legislature voted unanimously, with support from government members, in response to a motion moved by the Progressive Conservative Party, to bring forward a comprehensive action plan to address, not the general state of the economy in Ontario, but the devastation felt by these communities. Some of them were named in the motion; we know where many of them are. That was what my question was: When is the plan coming forward to help these people?

The list does continue to go on on the other side as well, in terms of things that are happening that continue with the devastation: Mahle Engine Components in Gananoque, closed, 90 jobs; St. Mary's Paper in Sault Ste. Marie, 14 people on top of the 50 laid off; GDX Automotive in Welland, 150 people laid off: this Friday, La-Z-Boy in Waterloo will lay off 413 people.

I just wonder—it's an easy question—by what date will we see the action plan we all voted for in the Legislature, which we all offered to help put together, to put forward specific measures to help these people in these communities who have lost their jobs?

Hon. Mr. McGuinty: One of the best pieces of news that we've had in this province in a long time is our new labour market development agreement, which is going to

put in place an additional \$1.4 billion over the course of the next six years. I wish the previous government would have struck that agreement with the federal government so we would have that foundation in place today, as people lose their jobs today. Notwithstanding that, we have made up for lost time; we've entered into this agreement: \$1.4 billion over the course of the next six years. That's to help people with their retraining and to make sure they get back on their feet as quickly as possible. That is in addition to the efforts we're making to ensure that this economy continues to generate new good jobs.

HEALTH SERVICES

Mr. John Tory (Leader of the Opposition): My question is again to the Premier. On October 24, you said of your new Web site meant to track wait times: "Ontarians will be able to see for themselves how long wait times are at local hospitals." You said that the Web site will provide "current information on recent wait times," calling this "unprecedented transparency, accountability and care."

Premier, will you confirm that the next posting of wait times data, data for August and September, shows wait times in all five of your so-called priority areas—cancer, cardiac, cataract, joint replacement and diagnostic scans—are going up and not down? Will you confirm that?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I can't confirm that because I have not seen the information myself. But I can tell you this: that we are very proud to be the first-ever Ontario government that has set forward, in two very specific and, I would argue, very commendable directions. First of all, we've agreed to take wait times on. We've got a specific plan to address those. Also, we've introduced brand new, unprecedented transparency, where Ontarians can visit a Web site and see what the wait times actually are.

At the time we introduced that proposal, cynics said that it would be of little—and at most, of passing—interest to Ontarians. We've had 425,000-plus hits on the wait times Web site since we first got it up and running. It turns out that the only people who are interested in the wait times Web site are the people.

Mr. Tory: The people will be very disappointed indeed, those 425,000 people, when they realize, by the government's own admission, that when they go to the Web site, what they there see is not reliable.

Now, in your next wait times posting, due out any day now, and given to us directly by the Ministry of Health, by the way, in all five of the priority areas the wait lists are getting longer.

Judy Brown of Woodstock tore the ligaments in her knee 15 months ago. In June, she was told that she'd have to wait six months to see a specialist. Ms. Brown wrote to you in August. You referred her to your Minister of Health, who has yet to respond. That was four months

ago. She is hoping she will have her operation in January, 15 months after she was first injured.

Premier, under your wait times plan, Ms. Brown is not considered a priority patient. Her operation doesn't fall within the five areas. So what we have is priority wait lists going way up and new wait lists being created that weren't even there before. Why are wait lists in all categories going up and not down on your watch? Why are you letting this happen?

Hon. Mr. McGuinty: You know, it's passing strange that the member of a previous government which didn't have the internal fortitude and the courage to make wait times public is now purporting to, pretending to, condemn us for doing exactly what they should have done.

We have invested \$261 million specifically to purchase increased volumes. We've increased MRIs by 42%; CTs by 8%; hip and knee operations, a 28% increase in surgeries; cardiac operations, a 70% increase; cataract operations, a 60% increase; and cancer surgeries, an 11% increase. That's the result of a \$261-million increase.

I'd ask my friend opposite how it is that he's going to lend comfort to Ontarians who are concerned about wait times if his solemn commitment is to take \$2.4 billion out of the Ontario health care budget—

The Speaker (Hon. Michael A. Brown): Thank you.

Mr. Tory: So \$261 million for longer wait times: There's value for money from the McGuinty Liberals.

Premier, today is the one-year anniversary of one of your much-heralded announcements of new surgeries in the priority areas. That one, a year ago today, was for \$26 million—\$26 million of the \$261 million—yet we've seen after this spending of money that the wait times are going up.

A year ago today, your health minister said, "[Our government] is driven by ... patients ... we process all of what we do through patients." It sounds nice, but the rhetoric doesn't match the reality—not for Ms. Brown of Woodstock, left waiting 15 months for an operation, not for Mrs. Horton, whom we talked about yesterday, waiting 10 weeks for a back operation, or Mrs. Lipp, waiting seven months just to see her orthopedic surgeon, and not for the patients in the priority areas, for each and every one of whom the wait lists have gone up on your watch, by your own information. They are seeing wait lists go up and not down. Why?

Hon. Mr. McGuinty: We have never once pretended that reducing wait times was going to be an easy undertaking, but we are more than prepared to take this on. That is why we've made the additional investments. In fact, we've put \$4.8 billion more into health care than did the previous government. Again, the question that I would have for my friend opposite is, how is he going to improve wait times, how is he going to reduce wait times, if he takes \$2.4 billion out of our health care system?

We're proud to have in place, for the first time ever, this new wait times Web site. Undoubtedly, there are going to be some fluctuations from time to time. But I

think that what Ontarians are prepared to do—and my friend opposite may not be prepared to give us this slack—is to look at the trend over the long term. Our focus is to ensure that over the long term, wait times come down, and I am confident we're going to see that.

1440

NUCLEAR ENERGY

Mr. Howard Hampton (Kenora–Rainy River): To the Premier: Premier, earlier today you said that spending \$40 billion for expensive and unreliable nuclear power is on the table for the McGuinty government. This is after six months of backroom work by your former top advisers, now paid lobbyists for the nuclear industry.

My question today, a very cold day in much of Ontario, is about the high cost and the unreliability of nuclear power. Can you tell us, Premier, how well are the Bruce nuclear reactors working today, and what is the price of electricity today in Ontario?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I appreciate the question, as usual, and I want to take the opportunity to thank the Ontario Power Authority for the advice they have provided us with. One of the things the authority specifically urges us to address is the fact that about 10 years from now we're going to be staring into the face of a serious reliability issue. For that reason, the authority is urging all of us to take this matter on.

As I said at a news conference earlier this morning, it would be easy just to duck this, as previous governments have done. That's why we found ourselves in such a difficult situation this past summer. We could duck it and say that's not an issue we're prepared to grapple with at this point in time; it's too controversial, too divisive, too tough. I'm not prepared to do that. We are prepared to do whatever it takes to ensure that we have a reliable supply of clean, affordable electricity. That's in keeping with the advice that we received from the Ontario Power Authority.

Mr. Hampton: The question was, does the Premier know how the Bruce nuclear reactors are operating today, and what's the price of electricity? I'm not surprised you tried to duck the question. At 8 a.m., when people were cooking breakfast and getting the kids off to school, the price of electricity was 36.9 cents a kilowatt hour, six times the so-called McGuinty government regulated price. Why did the price of electricity skyrocket? Because, of the nuclear plants that you want to put more money into, three of them are off-line at Bruce nuclear and we had to import 3,000 megawatts of electricity—expensive electricity—from the United States.

My question to the Premier is this: Given today's skyrocketing hydro rate due to the shutdown of nuclear plants in Ontario, due to the terrible history of expensive nuclear power, the unreliable nature of nuclear power, how can the Premier justify another \$40 billion for nuclear power without even trying energy efficiency and energy conservation?

Hon. Mr. McGuinty: The leader of the NDP is suggesting that we just throw up our hands and say that there is nothing we can do and that this is simply too great a challenge for us to overcome. I just don't come from that school of thinking.

There are no easy answers to this issue. We have in place a very aggressive plan to create more generation in Ontario. We've brought about 3,000 new megawatts on-line; there are 10,000 more in the pipeline. We have an aggressive energy conservation plan. We have the most aggressive plan to build generation from renewables—from wind, for example—in all of North America.

My friend opposite is suggesting that we say we're not going to even consider nuclear and that there are no possibilities of any kind to be found there. I'll note that when they formed the government, they continued to invest in nuclear. They did not shut down nuclear generation. They also cut all of their funding for energy conservation—

The Speaker (Hon. Michael A. Brown): Thank you. Final supplementary.

Mr. Hampton: I gather the Premier would advocate that after the Peterson Liberal government spent \$14 billion on the Darlington plant, it should have been shut down. That would really be financially responsible.

Premier, here's the issue: The Canadian Environmental Law Association says that your government talks a game on energy efficiency and conservation, but in fact you've done virtually nothing on energy efficiency and conservation. They want to know why you're so happy to endorse nuclear without even trying energy efficiency and conservation. Before you waste another \$40 billion on expensive and unreliable nuclear power, before you give your friends in the nuclear industry access to the pockets of every Ontario family to the tune of \$13,000 each, before we have more nuclear shutdowns, we should have the full, open, public debate that Dalton McGuinty promised. So my question is, will the Premier commit today to a full environmental assessment of the Ontario Power Authority report so that we can have—

The Speaker: The question has been asked.

Hon. Mr. McGuinty: Just to remind the leader of the NDP that when he was part of the NDP government, that was a government that cancelled every single conservation program on the books. They just voted against conservation legislation one more time yesterday. So they are hardly champions of energy conservation in Ontario.

I believe that we need to have a responsible supply mix in order to address our energy needs, especially starting in the year 2015. That means that of course we need to build new generation. Some of that has to be renewable. In addition to that, we have to conserve energy. We have plans in place and we'll have more aggressive plans to come. But to respond to the leader of the NDP opposite, we have had a consultation process as a result of the Ontario Power Authority's work. There is a posting on the Environmental Bill of Rights registry. But beyond that, we need to have—

The Speaker: Thank you, Premier.

CITY OF TORONTO

Mr. Howard Hampton (Kenora–Rainy River): Just to remind the Premier that the most aggressive opponent of energy efficiency was the Liberal energy critic of the time, a certain Dalton McGuinty. He said we couldn't afford energy efficiency.

My question to the Premier is about this: Toronto budget chief David Soknacki estimates the city of Toronto's budget shortfall at between \$400 million and \$500 million in 2006. This is in line with the estimates of the Toronto Board of Trade. The McGuinty government's response is to OK new taxes on alcohol, surcharges on tickets to concerts and sporting events, and possible road tolls. But this torrent of new taxes will only cover about 10% of Toronto's \$500-million budget shortfall. Your government still has to tackle the issue of provincial downloading. My question is this: When is the McGuinty government going to assume financial responsibility for provincially mandated programs like child care, social assistance and social housing that have been downloaded on to the city of Toronto—

The Speaker (Hon. Michael A. Brown): The question has been asked.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm just not sure that the leader of the NDP understands how significant the legislation is that my colleague introduced today. I don't think they understand how far we have come in terms of restoring a good working relationship between Queen's Park and the city of Toronto, a relationship based on respect and mutual understanding. We've taken a very important step forward today. We've taken that step in part inspired by the solid advice that we received from a good working group that consisted of people representing our government and the city of Toronto. We do not for an instant pretend that this is the answer to all that ails the city of Toronto, but I would ask that my friend at least acknowledge that for the first time in a long time within this precinct, somebody has stood up and said, "We're prepared to work with the city of Toronto, to the benefit of Torontonians and all Ontarians."

Mr. Hampton: My question to you is this: When is the McGuinty government going to work with the city of Toronto on the real issues? Again I'll quote the city of Toronto budget chief, David Soknacki, who said, "Levying new taxes won't solve the city's perennial budget woes, given the provincial downloading of welfare, public housing and transit costs." Again, a city of Toronto budget chief quote: "It looks as if we'll continue to have the revenue(s) of a 19th-century town that is taking on the responsibilities and obligations for a 21st-century city."

The question again, Premier, is this: The issue remains that the McGuinty government is downloading the costs of important and expensive services on to municipalities like Toronto. When are you going to address the downloading problem, the budget shortfall that comes as a result of your government and the downloading of your government?

Hon. Mr. McGuinty: Maybe I missed something, but I think it was the previous Conservative government that did the downloading. We're working as feverishly as we can to make up for that. We can't make it up all in one bill, but I'm proud to say that we have taken a few steps. I believe that the city of Toronto, for example, this year is receiving \$81 million—that's new dollars—for the gas tax. We are also working to upload public health so that we have the majority of those financial responsibilities.

1450

But beyond that, the Stronger City of Toronto for a Stronger Ontario Act introduces a strengthened accountability framework, and I think that should be characteristic of a modern, mature, responsible municipality. That means that Toronto is going to have a more effective lobbyist registry. It's going to have an Integrity Commissioner. It's going to have codes of conduct. It's going to have an Auditor General, and it's going to have an Ombudsman. All of that will enable it to assume these new responsibilities in a way that—

The Speaker: Thank you.

Mr. Hampton: The Premier can try to duck the issue, but the problem remains fundamentally the same. As a result of the McGuinty government's downloading, Toronto has a \$500-million budget shortfall and the municipalities across the province have a \$3-billion budget shortfall.

The city of Toronto and other municipalities are struggling to pay for land ambulance, a provincially mandated service; seniors care, a provincially mandated service; child care, a provincially mandated service; public health, a provincially mandated service; social housing costs, a provincially mandated service. In opposition, Dalton McGuinty said this was wrong. You said it was unfair, and you said you would end it. Yet under your government virtually nothing has changed.

Premier, when are you going to deal with the real issue, the fact that your government continues to download \$500 million of costs on to the city of Toronto without the financial resources to pay for it, or do you now endorse Mike Harris's downloading?

Hon. Mr. McGuinty: I think it's important to know what other people are saying about this. We've heard from my good friend opposite.

This is what Alan Broadbent, chairman of the Maytree Foundation, said: "I salute Premier McGuinty for his clear thinking and political courage in recognizing the importance of cities in the 21st century and particularly the necessity of giving Ontario's largest city more permissive powers."

Here is what John Cartwright, president of the Toronto and York Region Labour Council, said: "The proposed City of Toronto Act is an important milestone in defining a new role for Canada's largest city. It has been a long time coming."

Anne Golden, president and CEO of the Conference Board of Canada: "The new City of Toronto Act would mark an important and positive step forward in the city's coming of age."

Enid Slack, director of the Institute on Municipal Finance and Governance at the Munk Centre, says: "A new City of Toronto Act fundamentally will improve the relationship between the province and the city."

I would ask the leader of the NDP to get in step with those Torontonians who are focused on—

The Speaker: Thank you.

TRUANCY

Mr. Frank Klees (Oak Ridges): My question is to the Minister of Education. Yesterday, the Minister of Education announced that he and the McGuinty government will be extending their reach even further into the lives of Ontario families.

Not content to focus on his job as education minister, he is now taking on the role of being the official parent to all of our children. Is your son or your daughter missing too many classes? This minister will ground them. He will take away their licence.

I'd like to ask the minister to inform the House how his government plans to enforce this latest parenting role that he has taken on. How many truancy officers does he plan to hire? What resources have been allocated to school boards to deal with this? What resources will be allocated to the Ministry of Transportation to take on the administration and enforcement of this new parenting role?

Hon. Gerard Kennedy (Minister of Education): Well, it is unfortunate indeed that the member opposite doesn't see the value in supporting parents' ambitions for their kids. What parents want and what they get, and what the member opposite doesn't get, is that they want their kids to continue learning. Getting a licence doesn't depend on those parents; it depends on the kids. All we're saying to them is that they take on an obligation. What's that obligation? In improved high schools with more opportunities, with extra chances to do the things that students want to do, it's to stay learning. If we live up to our part of the deal—which wasn't lived up to under the last government, which let dropouts increase by 14,000 more a year. It didn't blink, it didn't do anything.

We're saying that for 16- and 17-year-olds, rather than go to the courts for truancy, which is what the last government relied on—500 people taken to the courts in the last year of the last government for truancy—we have a better approach. The approach is more realistic, more practical and better understood by students, which is to say that they wouldn't apply for a G1 licence unless they're in school doing constructive things that we, in this 21st-century economy, need—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Klees: Let me be very clear: Contrary to this minister and his government, we believe that there's a role for parents and there's a role for government, and this government is encroaching on the role that is rightfully that of parents. What he is not doing is considering the impact of his proposal on families in rural and northern

Ontario. He is not considering the impact of this proposal on parents who rely on their son or their daughter for transportation. He's not at all considering the practical impact of what he is announcing.

I'm asking the minister again, what will the impact be on families who in fact rely on their son or their daughter to provide transportation within their families? What is the implication to students who are home-learning, to students who are in private schools? Will this apply to them as well? What are the practical implications of issues like that? Have you thought about it?

Hon. Mr. Kennedy: I'm glad to have the member opposite come back to what he really cares about. What he did to parents was take away their choice of having their kids educated in high-quality public schools. You had a 40% increase in private school enrolment because you failed so miserably.

Instead, what we're saying to parents is, "Your hard-earned tax dollars are going to work in school. We're going to provide a future for your kids. We're going to cut the dropout rate in half. We're going to fix the mess left by the last government," and we're going to improve on that. We're going to do that in rural areas. We're not going to take away their high schools; we're not going to shut them down the way you and your government did. We're not going to forget that you can't have a one-size-fits-all approach and not pay the price in rural Ontario. Rural Ontario deserves the same chances, the same options and the same level of optimism as the rest of the province. It wasn't provided under the past government; it is coming from ours. We are bound and determined to work together so that every student has a good outcome, no matter where they live in Ontario.

SCHOOL CLOSURE

Mr. Peter Kormos (Niagara Centre): A question to the Minister of Education: The Toronto-based French Catholic centre-south school board wants to shut down Jean-Vanier school and build a new school, but a mile and a half away. Niagara's two trustees don't agree; Niagara's student rep on the board doesn't agree; the students don't agree; the parents and the parent council don't agree; the francophone community doesn't agree; the taxpayers don't agree. Nobody in the community supports this decision, be it educators, be it members of the student body, be it their parents. The school is structurally sound, better situated and better equipped. Why is this government going to squander millions of dollars on a new school to replace one that is preferable?

Hon. Gerard Kennedy (Minister of Education): I thank the member opposite for his question, and I just want to give him the context for my response.

The board in question received dollars from the previous government under what was then called a prohibitive repair plan. Sadly, that prohibitive repair plan didn't have any accountability built into it; it was simply provided. The building itself, on an independent measurement—I want to be clear; I think it was an in-

dependent expert that looked at it—had a high amount of repairs required, so that part should be understood.

What is in question here is the location. If the building does need substantial repairs and is a candidate for replacement, what location should it be at? The member opposite is suggesting that there is a fair bit of disagreement around whether that location should be where the building is currently, whether indeed the building could be repaired, or whether it should go somewhere else. I want to say that we have new rules for accountability, a new capital plan that every board now has before they can spend money. I undertake to the member opposite to see if that can't be applied in the case of the building that we're talking about today.

Mr. Kormos: Here today we have Diane Hall from St. Catharines, who's the president of that parent council; Daniel Fortier, Welland city council and francophone leader; and Raymond Tisi, a parent.

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You see, the Panici report, which is the one you're referring to, indicated—and this is the ministry's own data—that it would take \$5 million to upgrade the school, but it's a school of 129,000 square feet. The new school is proposed to be 75,000 square feet. I've consulted, and a very conservative cost of construction is \$180 a square foot. You see, that comes to \$13.5 million. When you add the \$850,000 for the land acquisition, you're spending \$14.3 million. By the time you amortize that over 25 years, you're talking about \$20 million when it takes but \$5.5 million to take a better building in a better location and upgrade it to current standards. Down where I come from, people think that's nuts. Why won't the ministry commit itself to protecting that francophone community and that school's integrity today?

Hon. Mr. Kennedy: I want to commend the member opposite for an impressive display of mathematics and so on, and I'm sincere in that. There was \$10 million allocated to the school by the previous government. What we're saying is that in our case there really has to be accountability for dollars spent. There has to be a business plan and an education plan that makes sense.

I want to say, though, that we have taken a different approach. We're allocating dollars to repair schools that are too expensive to replace them. So, for example, there are six or eight of those schools in the English board in Niagara, for the first time, coming from this government. Buildings that were allowed to fall down under previous governments are now going to be replaced.

We would like to see, and we're going to talk to the board to see how this can be done, that that building be done under similar rules, where you have to have a business case and an education case and you talk to the communities first before your capital plan is finally approved. The member opposite will know that some decisions and some financial commitments have been made on the part of the board. I'll undertake to report back to him, to the interested community and to the province in general about how this particular instance of bringing it into the new accountability framework can actually work in the interests of all students.

MUNICIPAL PLANNING

Mr. Tony Ruprecht (Davenport): I have a question to the Minister of Municipal Affairs and Housing regarding the OMB. Minister, yesterday's Toronto Star editorial stated: "Long criticized as ... costly and undemocratic, the Ontario Municipal Board is undergoing a substantial redesign. And that is reason for cities across the province to celebrate."

Toronto's skyline is changing—in fact, Toronto's neighbourhoods are changing—and residents wish to know and have input on how these new buildings will affect their streets and their lives. I have personally witnessed how many of my constituents came away totally disappointed when they appealed to the OMB. The cards were stacked against them. The OMB became another level of decision-making and not a board of appeal. Minister, can you tell my constituents how the proposed legislation will give more power to the local government and therefore more power to the local people?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Let me, first of all, congratulate the member for being a real advocate on behalf of the residents he has represented here so ably for the last number of years. Our whole intent in our planning reform legislation is to give municipalities greater authority and greater power, and the citizenries as well, as to how their communities are developed. We've done this in a number of different ways. We've made sure that municipalities have the tools to determine what works best in their community as far as sustainable development is concerned. We've given them more tools to influence the look and feel of their communities by giving them greater architectural and urban design controls within their official plans. All of these are methods whereby the local councils, in effect, can make determinations that will really contribute something to their communities. This is all done by way of a complete application that we're going to insist on so that everybody knows exactly what developments are being proposed right up front at the planning process.

The Speaker (Hon. Michael A. Brown): Supplementary, the member for Huron–Bruce.

Mrs. Carol Mitchell (Huron–Bruce): Minister, the changes you are proposing are not just for urban municipalities; rural municipalities will also benefit from these changes. My rural constituents keep on hearing about the proposed planning legislation and how it will apply to urban centres. What we want to know is how this new legislation is going to apply to our rural communities. Our towns have very picturesque downtown areas, some of which have heritage designations. They have their own character, and my constituents want to enhance those characteristics. They've told me they want to make decisions on architecture and design that will shape the look and feel of their community and protect their vibrant heritage resources.

Minister, please explain to my constituents what our government's proposed planning legislation would do to

help our rural municipalities improve their communities' appearances while protecting their heritage.

Hon. Mr. Gerretsen: I want to congratulate this member too on the excellent work she's doing on behalf of her community. She always advocates on behalf of rural Ontario, which is something we all need to hear.

Municipalities have told us they need more tools to promote brownfields redevelopment, sustainable development and community design. That's absolutely imperative. It's not only important for the cities and the urban municipalities to do that, but also for the rural municipalities to do that.

Rather than on a site-by-site basis, which is what happened so often in the past, through the new regulations and the Planning Act, we've given new tools to communities large and small around this province so that they in effect can decide what gets built in their communities. We've empowered the councils to do that, and we've also empowered the citizenry to know exactly what the development proposal is going to be, whether it's large or small, before it's actually approved by the councils.

INSURANCE

Mr. Norm Miller (Parry Sound–Muskoka): I have a question for the Minister of Municipal Affairs and Housing. Kent Trusses is a leading manufacturer and distributor of trusses and engineered wood products situated in Sundridge, in my riding of Parry Sound–Muskoka. They employ about 100 people. Michael Kent, the president, called me to let me know that the insurance industry doesn't offer errors and omissions insurance for component manufacturers, which is required to obtain a building code identification number as required by Bill 124. Your government postponed implementation of this requirement of Bill 124 from last summer to January 1, 2006. But the insurance industry has still not developed the necessary errors and omissions insurance to cover this niche industry.

Minister, will you consider moving the deadline back to allow more time for the insurance industry to work with designers and manufacturers such as Kent Trusses to get the insurance they need to comply with Bill 124, or exempt component manufacturers from this bill?

Interjections.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I thank the member for the question. My colleagues are quite correct, of course: This is a bill that was originally implemented by the previous government. As was indicated here today, we've already moved the implementation date back from July 1 to January 1, to make sure that all those individuals who had to be certified, whether they're building officials or the people who, in effect, prepare and apply the designs to the various municipalities, would be qualified by that point in time. I'm not familiar with his particular situation. I'm certainly prepared to look at that situation. But I can also tell you that we've already moved the date

back from July 1 to January 1 of next year, and we intend to implement the full measures of the act at that point in time.

Mr. Miller: Minister, it's not about certification; it's about being able to buy insurance. I have another significant business in Muskoka that's also affected. It's a manufacturer. That is True North Log Homes, which designs and pre-manufactures homes. It's a slightly different situation. They export more than 50% of their log homes to the United States. The insurance industry doesn't want to underwrite their business because they export to the United States. Even their current commercial and general liability insurance policy is written as a special risk policy. Errors and omissions insurance is only available for companies that provide design-only services. Countless companies across the province will be unable to comply with the January 1 deadline, through no fault of their own.

Minister, will you work with these companies and the insurance industry to develop errors and omissions insurance that will satisfy the requirements of Bill 124? It's very serious for these companies in my riding and all across the province.

Hon. Mr. Gerretsen: Certainly this government will work with anyone who is involved in the manufacturing sector. I am somewhat surprised, though, that here we are 19 days away from the full implementation of the act, which has been well known to the entire industry—the building industry, the design industry, the architects, the builders etc.; everyone has known that—and this question, which I was not familiar with before, has only come to our attention at this point in time. We will work with the individuals involved, but it is the intent of this government to fully implement the act as of January 1 of next year.

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FIRST NATIONS

Mr. Howard Hampton (Kenora–Rainy River): My question is to the Premier. Premier, you promised to bring a new approach to aboriginal affairs in Ontario. You promised to consult with First Nations whenever government actions might affect their treaty rights. But this fall, the McGuinty government tabled two bills, one on child welfare, one on local health integration networks, without any such consultation. Grand Chief John Beaucage of the Anishinabek Nation says that “the government as a whole is not respecting First Nations concerns or the protection of our inherent rights. This does not bode well for this so-called ‘new relationship.’”

Premier, why have you failed to live up to your own promise to consult with First Nations whenever McGuinty government actions might affect First Nation treaty rights?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the minister responsible for aboriginal affairs.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): First of all,

I'd like to say to the member that the McGuinty government understands its responsibility to consult with First Nations on issues concerning them and the government of Ontario. In fact, we are in active discussion as to how we should organize those consultations, ministry by ministry and issue by issue. I've had very detailed discussions this fall with John Beaucage and other grand chiefs in this province, and we're working out those protocols. Part of that discussion is how the First Nation grand chiefs and chiefs will have those consultations in their own communities so that we can be assured that we are sharing the right information.

Mr. Hampton: I hear the platitudes of the McGuinty government, but this is what Chief John Beaucage says in a letter of December 5. He says that this is not happening; he says that they're being forced to pursue judicial review because you will not consult with First Nations.

In a letter of December 4 from the Deputy Grand Chief of the Nishnawbe Aski Nation: "In spite of the government-to-government relationship that should apply in dealings between First Nations and the province, First Nations were not consulted in the development" of the integrated health network legislation. So whether it's on child welfare, whether it's on water or whether it's on health, the chiefs say you're not consulting. They say you're ignoring them.

I ask the question to the Premier again: When are you going to live up to the promise you made? Will you hold full consultations with First Nations before you try to proceed with the legislation—

The Speaker (Hon. Michael A. Brown): Minister?

Hon. Mr. Ramsay: We are setting up those consultations with the First Nations task force and a Metis task force to write a report in regard to LHINs. I was in dialogue last week with Health Minister Smitherman in regard to how we can do a fulsome consultation with First Nations in regard to the LHINs. We are organizing those meetings now. We're trying to get a few done before Christmas and do the rest early in the new year.

I'm just saying to the member that we are making progress on this. We think it's a very important and top priority in the McGuinty government to be doing full consultations with First Nations. We are acting on that and we're proceeding, and we will conclude those consultations early in the new year.

TRUANCY

Mr. John Wilkinson (Perth-Middlesex): My question is for the Minister of Education. Minister—I'm sure he'll be here. There he is.

Before the new high-school curriculum was introduced by the previous government in 1998, the graduation rate was 78%. But by 2004-05, the rate had dropped to 68%, and over 51,000 students a year were dropping out. This is a startling decline in students graduating, particularly in a knowledge-based economy. We cannot afford to have Ontarians leaving school without a

diploma and skills. Our students are critical for Ontario's economy and competitive advantage.

Minister, I notice that you have some far-reaching proposals in regard to enforcing jurisdiction. I'm concerned for students whose livelihood may be tied to their vehicles. Can you address the—

The Speaker (Hon. Michael A. Brown): The question has been asked.

Hon. Gerard Kennedy (Minister of Education): Yes, in fact, the idea here is that students will be in a learning situation. The law, if passed by the Legislature, does not require that they stay in traditional classrooms but rather that they can be, for example, learning and earning at the same time. We've provided for situations where they could be in co-operatives, in farm or agricultural elements in the rural area; they could be involved in forestry in the northern area; they could be doing a range of things that draw them out and that right now, unfortunately, without the learning component, could be a dead-end job. Now they can be learning and they can be gaining a footing in the work world, or even getting credits for an apprenticeship or for college or university. That's the new high school we're offering.

We're encouraging that by asking them to take on the obligation of doing their part, but we're going to make sure that before any new enforcement comes into place, those kinds of programs will be there, encouraging students the way they should have been all along.

Mr. Wilkinson: Minister, it's good to hear that enforcement will not be detrimental to a student's success.

My second concern stems from students who live in rural areas, such as my riding. Many students are dependent on their vehicles in rural areas. This announcement may be a shock to those students who feel that their time is better served learning hands-on, such as on the farm. My second question is twofold: How would you respond to those students, and how are we supporting rural education?

Hon. Mr. Kennedy: We understand, first of all, that there may need to be some exemptions. There may be circumstances for 16- and 17-year-olds to be able to continue to drive. However, we say emphatically that students in the rural area need to be learning, the same as students anywhere else. We have taken a step—in fact this week, we're providing \$10 million that will affect new programs for schools, to make sure they're able to offer those positive conditions.

Despite the naysayers opposite, we would say to them that this is what the people in the communities are saying:

From the Small Schools Coalition: "[P]articularly pleased with the agricultural component." That's the 4H program being able to count for a credit. "I think it's great."

Gary Mawhiney of Norfolk county says, "It's a gigantic step in government realizing there are specialized costs with rural education. If you want any kind of economic stability in a rural community, the two pillars you need are health care and education," and this does that.

We are responding specifically. We get it. It's not the same. We can't have a one-size-fits-all. We need a response to every student equally—

The Speaker: Thank you.

GOVERNMENT LEGISLATION

Mrs. Julia Munro (York North): My question is for the Premier. One of the key principles underlying our legal system in Canada is the concept of innocent until proven guilty. It is up to the state to prove an individual has broken a law, not up to the individual to prove his or her innocence.

The current government, in writing its laws, has turned this principle on its head. It has repeatedly placed a reverse onus on individuals to prove to the state that they have done no wrong. Why do you support this philosophy of reverse onus on Ontarians, guilty until proven innocent?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm interested, but I don't really know what the member is getting at. Maybe if she would outline in some detail specifically what she's talking about, that would be very helpful.

Mrs. Munro: The government wrote its spills bill demanding that companies prove they are not polluting. They told dog owners they would have to prove their dogs are not pit bulls. They demanded that birth mothers prove they have a right to privacy. Women who thought their privacy would be protected decades ago will now have to prove to the government why their privacy should be protected. Your government has decided selectively which groups in society you feel are guilty until proven innocent. Will you at least guarantee that your government will pass no further reverse onus legislation?

Hon. Mr. McGuinty: Well, it's interesting to learn that the creators of the omnibus bill have now become champions of civil rights in Ontario. I can assure the member opposite, as I can the people of Ontario, that each and every piece of legislation is certainly in keeping with the law. It does not contravene the Charter of Rights. Our intention with every single piece of legislation is to improve quality of life for the people of Ontario. Again, I say it's at least somewhat passing strange to learn that the Conservative Party has now become a fearless devotee and champion of civil rights in Ontario.

1520

FOREST INDUSTRY

Mr. Howard Hampton (Kenora-Rainy River): For the Premier: You have promised a new working relationship with First Nations, and your Minister of Natural Resources has gone across northern Ontario telling people that they should look at new processes for using wood fibre, they should look at innovative ways of using wood fibre to produce manufactured wood products.

When the Wabigoon First Nation came forward to your government over two years ago with a proposal for a partnership with a Finnish company that has done all of those things—provided innovative, new processes for manufactured wood products that have a market not only in Europe but in North America—they asked for an allocation of wood fibre from the McGuinty government. For two years they have been stonewalled.

Premier, you made the promises about a new working relationship. Your Minister of Natural Resources said, "Come to us with proposals for new, innovative manufactured wood products." They've done that—

The Speaker (Hon. Michael A. Brown): The question has been asked.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The minister responsible for aboriginal affairs.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I'd like to inform the member, and I guess I'd be pre-empting my own announcement, that we have solved this issue. The First Nation is going to be getting an allocation. We are working with them on that. We are assisting them with that. They are going to get a direct allocation from the crown, and we're also working with them in partnership to acquire a sawmill, also with its own allocation, so that they will have plenty of wood to produce this value-added product from Scandinavia.

Mr. Hampton: That's exactly the answer you gave almost two months ago, and the First Nation still hasn't seen any headway. Here's the situation: If we look at northwestern Ontario, the Dryden sawmill shut down. That made available 440,000 cubic metres of wood per year. The Devlin Timber sawmill shut down. That made available 24,100 cubic metres of wood. The Kenora Abitibi-Consolidated mill has shut down two paper machines. That made available 200,000 cubic metres of wood. When you add up all the paper machine shut-downs in the northwest, there should be about 784,000 cubic metres of wood available.

I want a commitment from you today, Minister, that what they have asked for in terms of an allocation they will get, both in terms of volume and in terms of the kind of wood fibre and the length of wood fibre they have asked for. Will they get all of those things? God knows they've waited long enough.

Hon. Mr. Ramsay: I'm sorry that I continue to disappoint the member, but I just gave him that commitment. We are making this happen. OK?

Mr. Hampton: The trouble is, we've heard all this before.

Hon. Mr. Ramsay: Well, I'm telling you that we're making this happen. As of about 10 days ago, we have acquired the crown commitment that is going to be directly committed to the First Nation. We have worked with the First Nation in acquiring a sawmill that also has a crown commitment to it and some private sector business-to-business relationships, and those are going to remain whole and go to the First Nation.

This is all going to happen so that they can have their own sawmilling business to create the product that they need to then produce the laminated product that will be sent as a post-and-beam building material to Japan.

WATER QUALITY

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): My question is for the Minister of the Environment. Minister, following the Walkerton inquiry, Commissioner O'Connor recommended, "The provincial government should develop a drinking water policy ... covering all elements ... from source protection to standards development, treatment, distribution and emergency response."

Last week, our government demonstrated its commitment to the implementation of O'Connor's recommendations when we introduced the Clean Water Act. I am fully supportive of the introduction of the Clean Water Act, but as a member who represents a rural riding, my constituents sometimes ask me if legislation developed at Queen's Park will truly reflect and recognize the circumstances that are unique to our rural communities.

All members of the assembly surely recall regulation 170, the impractical drinking water regulation that the previous government developed without consultation.

Minister, what assurances can I give my constituents that our government, with the Clean Water Act—

The Speaker (Hon. Michael A. Brown): Minister of the Environment.

Hon. Laurel C. Broten (Minister of the Environment): I want to thank the member for her question and congratulate her on being an incredible advocate for rural Ontario. We have many amazing advocates in this government who bring to my attention each and every day the subtle differences between our cities and our rural municipalities.

I can commit to those communities in rural Ontario that our government is not going to repeat the mistakes made by previous governments with respect to regulation 170. One-size-fits-all legislation will not meet the requirements in rural Ontario. That's why, in producing the Clean Water Act, we've travelled across the province. We've talked to communities across the province and we're making sure that this legislation meets the requirements of Justice O'Connor and, for the first time in our province, has us have an understanding of the quality and quantity of drinking water by protecting our sources of drinking water and ensuring that they don't get contaminated in the first place.

Mrs. Van Bommel: As a member who represents a rural riding, I sometimes hear suggestions that legislation like the proposed Clean Water Act could threaten the right of every Ontarian to enjoy his or her own property. I've even heard it rumoured that the province is considering installing meters on private residential wells, and conducting snap inspections of private residential properties. We all know that contaminated water doesn't respect boundaries, and we also know that one person's

overuse of the water on or under his or her property can adversely affect a neighbour's supply. I have no doubt that my constituents understand the need for legislation to protect water quality and quantity.

Minister, what assurances can I give my constituents that the proposed Clean Water Act won't result in meters being installed on private properties and wells, or snap inspections being carried out on private residential properties?

Hon. Ms. Broten: Thank you very much for the question. As I indicated during broad consultations across the province, we made it clear then, and I want to repeat it now, that our government has no interest in installing meters on private residential wells. We do want to ensure that all Ontarians across the province have clean, plentiful and safe drinking water, and that's what the Clean Water Act is all about.

ANSWERS TO WRITTEN QUESTIONS

Mr. Frank Klees (Oak Ridges): On a point of order, Mr. Speaker: Pursuant to standing order 97(d), which requires ministers to answer written order paper questions within 24 sitting days, I would draw your attention to the fact that the Minister of Education has, once again this session, chosen to ignore the standing orders and failed to answer within the required time frame five written questions that I placed on the order paper on October 25, 2005.

In addition, the minister has also failed to respond to questions posed verbally and in writing to him at the standing committee on estimates, where he agreed to provide the information requested, both to me and to the critic for the third party.

Speaker, I ask your assistance in compelling the minister to abide by the standing orders and also in honouring his undertakings to the members of the standing committee of the Legislature.

The Speaker (Hon. Michael A. Brown): That is a valid point of order. I want to remind the minister that he is required, under standing order 97(d), to provide answers to written questions within 24 sitting days. The responses are now overdue. I would ask that the minister give the House an indication as to when the answers will be forthcoming.

As to your second issue regarding committees, those are questions that need to be taken up at committee.

Mr. Jim Wilson (Simcoe–Grey): On a point of order, Mr. Speaker: I have a similar point of order. I believe I have four outstanding questions that haven't been answered from the Minister of Transportation, and one outstanding question or response required from the Minister Public Infrastructure Renewal. I'd ask to you look into the matter.

One of the problems, I'd just point out, is I'd like to put more questions on the order paper. I tried to submit four or five today, but because these questions are unanswered, I'm considered to have eight on the order paper already and I should have 10. It's inhibiting not

only the information I require to do my job but also future information that I would like.

The Speaker: The member for Simcoe–Grey has a valid point of order. I am not exactly sure which ministers are among those four, but I will remind those ministers that under standing order 97(d), they must provide answers to written questions within 24 sitting days. The responses are now overdue, and I'd ask the ministers to give the House an indication when they will be available. I see the Minister of Education is here. Perhaps he could give an undertaking to the member for Oak Ridges.

1530

Hon. Gerard Kennedy (Minister of Education): I would say, Mr. Speaker, that I undertake to look into that this afternoon and give an answer to the member for Oak Ridges by no later than tomorrow before the House sits. I am not aware of the specific subject matter or any reason for delay, but I will convey either the answers or an acceptable reason to the member as to why it would be in delay.

The Speaker: The member for Simcoe–Grey, I see, had a question to the Minister of Transportation and to the Minister of Public Infrastructure Renewal, who is here. Maybe I could have an undertaking to respond to the question.

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): Mr. Speaker, I believe the question the member asked on the order paper required a great deal of time to go back and search the records. He asked for the date that every agency store in the LCBO was ever issued, when they were announced, where all of them are. There are literally thousands of—

The Speaker: Just provide an indication when you might be able to do that.

Interjection.

Mr. Klees: On a point of order, Mr. Speaker: On this very important principle, we have very clear standing orders on the time frame within which ministers are required to respond to written questions. For the minister to stand in his place now and say he's going to respond at a reasonable time is unacceptable and is an affront to the Legislature.

The Speaker: I'm going to ask the minister if he could provide us with a date—that's what the standing orders require—when you will table the information.

Hon. Mr. Caplan: I can advise you that it was tabled last week.

The Speaker: It hasn't been recorded as being responded to. So what you're saying is imminently—like now. Could I have an undertaking that it will be done tomorrow? If you think it was tabled some time prior, you might investigate and indicate tomorrow.

Hon. Mr. Caplan: We'll investigate. The standing orders provide that the government reply, and we will reply. My understanding is that the information was tabled, and if not, we'll get to the bottom of it.

Mr. Klees: On a point of order, Mr. Speaker: On this matter of how we do business in the House, the minister

has said the response was tabled two days ago, or last week. If that's the case, I would ask that the Clerk look into this and report back before the end of today's session, because if it was tabled, there must be evidence of it, and if so, we should hear about it. I think the responses we're getting from the minister are absolutely unacceptable.

The Speaker: The table will check it out and I personally will report back to the House.

I found the other two questions. They were both to the Minister of Transportation from the member for Simcoe–Grey. As soon as he's here, I will have him respond.

PETITIONS

GASOLINE PRICES

Mr. Jerry J. Ouellette (Oshawa): I have a petition to the Legislative Assembly of Ontario:

“Whereas gasoline prices have continued to increase at alarming rates in recent months; and

“Whereas the high and unstable gas prices across Ontario have caused confusion and unfair hardship to Ontario's drivers while also impacting the Ontario economy in key sectors such as tourism and transportation;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

“That the Parliament of Ontario consider an immediate gas price freeze for a temporary period until world oil prices moderate, and

“That the provincial government petition the federal Liberal government to step up to the plate and lower gas prices by removing the GST on gasoline products and fix the federal Competition Act to ensure consumers are protected and that the market operates in a fair and transparent manner.”

I affix my name in full support.

HEALTH INSURANCE FOR IMMIGRANTS

Mr. Rosario Marchese (Trinity–Spadina): This is a petition signed by approximately 1,000 people.

“To the Legislative Assembly of Ontario:

“Ontario's requirement for newcomers to wait for three months before becoming eligible for OHIP has created many hardships for them. Without health care coverage for the first three months, newcomers who needed medical services for unforeseen health issues can be burdened by huge expenses. Ontario hospitals and doctors require assurance of payment for services provided. To avoid costly medical fees, many newcomers forgo medical care, which may lead to more complicated health problems down the road. Therefore, the taxpayers and government eventually have to take up the increased medical costs.

"We, the undersigned, believe that Canada's principle of universality should be upheld, and that all residents of Canada should have access to health care coverage. The majority of other provinces provide coverage as soon as a newcomer establishes residency. As a matter of basic humanity and social justice, we call on the Ontario government to abolish the three-month waiting period and provide OHIP coverage to newcomers taking up residence here."

I support the petition.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Lou Rinaldi (Northumberland): Before I read the petition, I'd like to acknowledge the people who gave me the petition, who happen to be here today, the folks from Community Living Campbellford/Brighton: Marion Fennell, Wilma Swan, Lesley Coles, Angela Clarke, and Chris Grayson, the executive director. These are hard-working people who look after the less fortunate in my riding, and I'd like to welcome them to Queen's Park.

"To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I'm going to ask Laura from my riding to deliver this to the Clerk's desk.

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): I have a petition to the Legislative Assembly:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario address, as a priority, funding to community agencies in the developmental

services sector to address critical underfunding to staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I have also signed this.

1540

PROTECTION FOR HEALTH CARE WORKERS

Ms. Shelley Martel (Nickel Belt): I have a petition that's been signed by 86 nurses who work at St. Joseph's Health Centre. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas sharp medical devices such as syringes, IV catheters, blood collection needles, suture needles, lancets and scalpels, put not only health care workers but also the general public at risk of injury and/or infection; and

"Whereas an estimated 33,000 needle-stick injuries occur in the health care sector alone in Ontario every year; and

"Whereas the annual cost of testing and treating needle-stick injuries in Ontario, in health care alone, is \$66 million; and

"Whereas, since the cost of using safety needles in all workplaces is relatively minimal, we can save \$8 million every year in Ontario by eliminating unsafe medical sharps; and

"Whereas safety needles protect health care workers and the general public, eliminating about 90% of sharps injuries where they are mandated by law;

"We, the undersigned, petition the Legislative Assembly as follows:

"That the Legislature pass legislation requiring the mandatory use of safety-engineered medical sharps in all workplaces where workers are exposed to blood-borne pathogens."

I agree with the petitioners. I've affixed my signature to this.

MACULAR DEGENERATION

Mr. Kim Craiton (Niagara Falls): I'm pleased to introduce the following petition. It's addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration (wet), there are other forms of macular degeneration (dry) that are not covered,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment cost for this disease is astronomical for most individuals and adds a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should

cover treatment for all forms of macular degeneration through the Ontario health insurance program.”

I'm pleased to affix my signature in support of this petition.

ONTARIO FARMERS

Mr. John O'Toole (Durham): “To the Legislative Assembly of Ontario”—it's from the riding of Durham:

“Whereas thousands of Ontario farmers and rural Ontarians have been forced to take their concerns directly to Queen's Park due to a lack of response from the Dalton McGuinty government; and

“Whereas the Rural Revolution believes that rural Ontario is in crisis and they demonstrated their resolve and determination at Queen's Park on March 9;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to deal with the serious issue of farm income, as brought forward by the Rural Revolution's resolutions to respect property and prosperity as follows:

“Resolution number 4: Federal and provincial governments have created a bureaucratic environment that legalizes the theft of millions of dollars of rural business and farm income. All money found to be removed from rural landowners, farmers, and business shall be returned.”

This is a very intense petition. I'm pleased to support it in respect to my constituents in the riding of Durham.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): I present this petition on behalf of my constituents in Wallaceburg and area.

“To the Legislative Assembly of Ontario:

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I affix my signature to this as well.

CHIROPRACTIC SERVICES

Mr. Tim Hudak (Erie–Lincoln): I'm pleased to present a petition signed by Beverley and Al Kish, among others, from Port Colborne, Ontario, that reads as follows:

“Whereas elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

“Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment, at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system ... and the province.”

In support of my constituents, my signature.

GO TRANSIT TUNNEL

Mr. Tony Ruprecht (Davenport): I keep getting petitions on the St. Clair Avenue bridge. It's addressed to the Parliament of Ontario, the minister of infrastructure services and the Minister of Transportation and it reads as follows:

“Whereas GO Transit is presently planning to tunnel an area just south of St. Clair Avenue West and west of Old Weston Road, making it easier for GO trains to pass a major rail crossing;

“Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair–Old Weston Road bridge;

“Whereas this bridge (underpass) will be: (1) too narrow for the planned TTC right-of-way since it will leave only one lane for traffic; (2) it is not safe for pedestrians... ; and (3) it creates a divide, a no man's land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

“Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West, thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow.”

Since I agree, I sign this document.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Ernie Hardeman (Oxford): I have a petition signed by a great number of my constituents, primarily people who support the hard work and the good things done by Community Living Tillsonburg.

"To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I agree with the petition, as I will affix my signature.

Mr. Bob Delaney (Mississauga West): It's my pleasure to join with my colleagues from St. Catharines and Niagara Falls in this petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

This is an excellent petition. I'm pleased to affix my signature to it and to ask page Janine to carry it for me.

GAMMA FOUNDRIES

Mr. Frank Klees (Oak Ridges): I'm pleased to present a petition that was submitted to me through Councillor Arnie Warner from the town of Richmond Hill, relating to the Gamma Foundries issue there. It reads as follows:

"Whereas all residents in the town of Richmond Hill have the right to enjoy their homes, property, neighbourhood and to breathe clean air; and

"Whereas Gamma Foundries, a division of Victaulic Co. of Canada Ltd., is clearly the identifiable and documented source of noxious fumes and odours in the Newkirk Road area of Richmond Hill; and

"Whereas Gamma Foundries has persistently failed to respond to the legitimate concerns of the community regarding these odours and emissions; and

"Whereas Gamma Foundries previously refused to initiate engineering solutions to these issues as identified in a report by Earth Tech and as ordered by the Ministry of the Environment; and

"Whereas the Ministry of the Environment has specifically directed Gamma Foundries to initiate engineered controls to address the adverse effects of these pollutants;

"We, the undersigned, petition the Parliament of Ontario and the Minister of the Environment to take all measures possible to enforce the director's order and to ensure that residents are afforded the right to enjoy their property and neighbourhood, as is their right."

I support these residents of this area and I affix my signature in support of this petition.

1550

The Acting Speaker (Mr. Michael Prue): The time has now expired for petitions.

ORDERS OF THE DAY.

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):

First, on a point of order, Mr. Speaker: I believe we have unanimous consent to call orders for second and third reading of Pr bills concurrently, and for Ms. Matthews to move Bills Pr13 and Pr21 on behalf of Mr. Fonseca.

The Acting Speaker: Do we have consent? Agreed? Carried.

UNIVERSITY OF ST. MICHAEL'S COLLEGE ACT, 2005

Ms. Matthews, on behalf of Mr. Fonseca, moved second reading of the following bill:

Bill Pr13, An Act respecting The University of St. Michael's College.

The Acting Speaker (Mr. Michael Prue): Is it agreed? Carried.

UNIVERSITY OF ST. MICHAEL'S COLLEGE ACT, 2005

Ms. Matthews, on behalf of Mr. Fonseca, moved third reading of the following bill:

Bill Pr13, An Act respecting The University of St. Michael's College.

The Acting Speaker (Mr. Michael Prue): Is it agreed? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

RONALD McDONALD HOUSE
(LONDON) ACT, 2005

Ms. Matthews moved second reading of the following bill:

Bill Pr17, An Act respecting Ronald McDonald House (London).

The Acting Speaker (Mr. Michael Prue): Is it agreed? Carried.

RONALD McDONALD HOUSE
(LONDON) ACT, 2005

Ms. Matthews moved third reading of the following bill:

Bill Pr17, An Act respecting Ronald McDonald House (London).

The Acting Speaker (Mr. Michael Prue): Does the bill carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

1376037 ONTARIO INC. ACT, 2005

Mr. Murdoch moved second reading of the following bill:

Bill Pr20, An Act to revive 1376037 Ontario Inc.

The Acting Speaker (Mr. Michael Prue): Does the bill carry? Carried.

1376037 ONTARIO INC. ACT, 2005

Mr. Murdoch moved third reading of the following bill:

Bill Pr20, An Act to revive 1376037 Ontario Inc.

The Acting Speaker (Mr. Michael Prue): Does the bill carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

PONTIFICAL INSTITUTE OF
MEDIAEVAL STUDIES ACT, 2005

Ms. Matthews, on behalf of Mr. Fonseca, moved second reading of the following bill:

Bill Pr21, An Act to incorporate the Pontifical Institute of Mediaeval Studies.

The Acting Speaker (Mr. Michael Prue): Does the bill carry? Carried.

PONTIFICAL INSTITUTE OF
MEDIAEVAL STUDIES ACT, 2005

Ms. Matthews, on behalf of Mr. Fonseca, moved third reading of the following bill:

Bill Pr21, An Act to incorporate the Pontifical Institute of Mediaeval Studies.

The Acting Speaker (Mr. Michael Prue): Does the bill carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

SIDOFF'S CLEANERS & TAILORS
LIMITED ACT, 2005

Mr. Craitor moved second reading of the following bill:

Bill Pr23, An Act to revive Sidoff's Cleaners & Tailors Limited.

The Acting Speaker (Mr. Michael Prue): Does the bill carry? Carried.

SIDOFF'S CLEANERS & TAILORS
LIMITED ACT, 2005

Mr. Craitor moved third reading of the following bill:

Bill Pr23, An Act to revive Sidoff's Cleaners & Tailors Limited.

The Acting Speaker (Mr. Michael Prue): Does the bill carry? Carried.

Be it resolved the bill do now pass and be entitled as in the motion.

LAW ENFORCEMENT AND FORFEITED
PROPERTY MANAGEMENT STATUTE
LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS
EN CE QUI CONCERNE L'EXÉCUTION
DE LA LOI ET L'ADMINISTRATION
DES BIENS CONFISQUÉS

Resuming the debate adjourned on October 18, 2005, on the motion for third reading of Bill 128, An Act to amend various Acts with respect to enforcement powers, penalties and the management of property forfeited, or that may be forfeited, to the Crown in right of Ontario as a result of organized crime, marijuana growing and other unlawful activities / Projet de loi 128, Loi modifiant diverses lois en ce qui concerne les pouvoirs d'exécution, les pénalités et l'administration des biens confisqués ou pouvant être confisqués au profit de la Couronne du chef de l'Ontario par suite d'activités de crime organisé et de culture de marijuana ainsi que d'autres activités illégales.

The Acting Speaker (Mr. Michael Prue): Further debate? Is there any further debate? Seeing none, the minister may close.

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): The minister doesn't want to.

LAW ENFORCEMENT AND FORFEITED
PROPERTY MANAGEMENT STATUTE
LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS
EN CE QUI CONCERNE L'EXÉCUTION
DE LA LOI ET L'ADMINISTRATION
DES BIENS CONFISQUÉS

Mr Kwinter moved third reading of the following bill:

Bill 128, An Act to amend various Acts with respect to enforcement powers, penalties and the management of property forfeited, or that may be forfeited, to the Crown in right of Ontario as a result of organized crime, marijuana growing and other unlawful activities / Projet de loi 128, Loi modifiant diverses lois en ce qui concerne les pouvoirs d'exécution, les pénalités et l'administration des biens confisqués ou pouvant être confisqués au profit de la Couronne du chef de l'Ontario par suite d'activités de crime organisé et de culture de marijuana ainsi que d'autres activités illégales.

The Acting Speaker (Mr. Michael Prue): Is it the pleasure of the House that the bill carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

PRIVATE SECURITY AND
INVESTIGATIVE SERVICES ACT, 2005

LOI DE 2005 SUR LES SERVICES PRIVÉS
DE SÉCURITÉ ET D'ENQUÊTE

Resuming the debate adjourned on October 17, 2005, on the motion for third reading of Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999 / Projet de loi 159, Loi révisant la Loi sur les enquêteurs privés et les gardiens et apportant une modification corrélative à la Loi de 1999 sur le Tribunal d'appel en matière de permis.

The Acting Speaker (Mr. Michael Prue): On the last occasion, the member from Niagara Centre had finished his statements and was open for questions and comments. Questions and comments?

Mrs. Liz Sandals (Guelph-Wellington): Your viewers will obviously not have their minds attuned to this bill, not because of the excellent summary that I'm sure the member from Niagara South gave, but simply that it has been some while since we debated this. Just to let your viewers know, this is the first time in 40 years that the legislation concerning private investigators and private security guards has been updated. We are putting in place requirements that there be standards for both private investigators and private security guards. There was an inquest that identified the lack of any such standards as a serious problem for our province. So I am pleased to say that we are following the suggestion of the coroner's inquest in bringing those standards to the province.

Along with those standards, there will be an improved public complaint process, because there really hasn't been much of a public complaint process where security guards are involved, and that will be made available. We will be setting up advisory committees so that we can work with the stakeholders on the details of the standards that will be put in place. Particularly with respect to security guards, we will be putting in requirements for such thing as uniforms, what sort of weapons they're entitled to have and what sort of training they're required to have. Within the bill, we've allowed for differential rules, depending on the level of sophistication that is required.

I think this is quite a thorough bill, and I'm pleased to be supporting it on behalf of Minister Kwinter today.

Mr. Robert W. Runciman (Leeds-Grenville): The Progressive Conservative caucus will also be supporting the legislation, with some reservations. We will be monitoring the implementation of the act, because of some concerns we have with respect to the impact, especially on those smaller security firms across the province, and whether it jeopardizes their existence and really leaves the field wide open to the large corporate firms. That is obviously a concern of ours.

1600

This whole process, as the previous speaker indicated, is long overdue. The legislation hasn't been changed for some time. The review process, although the former speaker didn't acknowledge this, was begun by the previous government, with the intent to bring the legislation forward. Again, whether the legislation that was tabled by the Liberal government is comparable to what would have been the case if we had remained in office is open to question. I suspect it would have focused on some of the more urgent concerns, such as the uniform issue and the identification of cars, the confusion that security firm individuals—employees—and the automobiles they utilize in the conduct of their business were causing and are continuing to cause among the public with respect to who is or who is not a police officer and what is and what is not a police car. Hopefully, as a result of this legislation, those kinds of issues will be addressed appropriately.

I wanted, at this point, to acknowledge that we are supporting the legislation, with those reservations and a few others. We will continue to monitor, indeed, how the government implements it. Thank you for the opportunity.

Mr. Gilles Bisson (Timmins-James Bay): This bill, as my colleague from Niagara Centre, our critic on this issue, says, is really about a sort of—well, not a sort of; it's a privatization of some police services. The way the bill is structured, it really is a bill that goes a lot further into regulating private security firms than I think most people would see as reasonable. There are a number of companies across Ontario, as there are in communities that I represent, where a corporation or a business hires a person, in retirement to come in and keep an eye on the place at night, to make sure the lights are on—the night watchman kind of job. This particular bill, if passed the

way it is—and it's going to pass—makes it almost impossible, quite frankly, for companies to do that kind of hiring, and that affects a lot of people in communities like mine. Many people, because they don't have good pensions—because there is not a portable pension system in this province as we need in order to allow people to vest and build pensions as they go to multiple workplaces through their work life—are found in a situation where they retire and they can't afford to retire. They don't want to work a regular job where they work hard physically all day, so they look for something a little bit easier. A number of people end up in a job as the watchman. In my area, a number of people are hired to watch logging roads to make sure that security is followed. Another example is old mining camps, where an elderly gentleman and his wife might be hired to be security at a mining camp. All they're really doing is keeping an eye out to make sure there are no fires, no damages, and so people know there is somebody there so that people who want to go in and vandalize the area have a bit of a deterrent. Under this particular bill, those people will not be allowed to work because the system's going to be so onerous that they're not going to be able to meet those. I think that's rather sad.

This is a question of the government being far more interventionist, I think, than they need to be in order to deal with this issue.

Mr. Dave Levac (Brant): I appreciate the opportunity to talk about this bill. I want to do a little bit of a history lesson here that includes myself a little bit, but mostly the co-operation and the understanding of the municipalities and police services across the province, who are very concerned about it. The member from Leeds-Grenville was commenting on the uniforms, the cars, the badges; that security guards were coming desperately close to municipalities' police services in the type of look. I want to remind him that because municipalities didn't have the money for police services, there was a recommendation, and somebody mused about allowing the downtowns to be patrolled by private security guards. I was a little bit concerned about that.

Let me suggest to you that, before the Shand inquest recommended that we take a look at security guards and how they're trained and everything else, I introduced a bill back in 2001 called the Private Investigators and Security Guards Amendment Act that talked about the very thing the member talked about earlier, and that was to re-identify, put some type of restrictions on the type of cars to be used, the uniforms, the badges. It didn't get anywhere. We also talked about training and all of the things that we're doing today in this government's bill.

There's an awful lot of good that's going to come as a result of this bill. There are some questions that we have to answer, and I respect what the member had indicated in terms of where we need to take this, how far we want to go with it, but also realizing that this was in response to the police services and municipalities across the province that were asking that we make some sheer distinctions between the two, but also about funding, which

the previous government attempted to do and we're attempting to do, to ensure that there are adequate police services in our communities to do the job that police—and no other organization—should be doing, and making a distinction between the two.

I appreciate this bill. I think it's a good direction in which to go. We'll flesh out the details as we move forward.

The Acting Speaker: The member for Niagara Centre has two minutes in which to respond.

Mr. Peter Kormos (Niagara Centre): Great. Yeah, we'll fix the problems after we create them by passing the bill.

Look, had it been Dave Levac's private member's bill, which New Democrats supported, it would have been good legislation. Had it been Garfield Dunlop's bill—the member for Simcoe North—where he proposed controls over the design of uniforms and cars so that private security staff couldn't pass themselves off or be misperceived as public peace officers, we would have supported the bill.

You guys have created a monster. You've been incredibly, overly broad in terms of the scope of the bill. You want to regulate everything from the night watchman, who has no responsibility other than to call the police if something untoward happened, all the way to the internal security staff of the Toronto-Dominion Bank up on the 34th floor of the TD tower.

What is the matter with you? You're creating a regulatory regime that some of the lowest-paid workers—security guards—are going to have to support financially through the annual licensing fees. You've made a bouncer—the college or university kid who gets hired by a tavern or a social club to act as doorman on the weekend and take care of the occasional unruly guest—necessarily trained in a rigorous program and licensed, so he's got to pay to earn a couple of bucks on a weekend trying to support his way through college or university.

You've also institutionalized private policing, because at the end of the day that's what this bill is all about. That's right; you're underresourcing police services across this province. Your 1,000 new cops that you've never delivered, and now the need for basic police core services, up to 1,700 new police officers, means that more and more communities are relying upon organized private police forces, the very police forces that you are going to regulate, institutionalize and accredit with this legislation. New Democrats would have nothing to do with that privatization nonsense and nothing to do with your attack on some of the lowest-paid workers in this province.

The Acting Speaker: Further debate?

Mr. Bisson: I just want to take a couple of minutes on this bill, because I think it's important to go on the record. I echo the comments made by the member for Niagara Centre. I just say to the government that the problem is that we need to recognize that you're going much further with this bill than you actually need to. At the end of the day, there are a lot of people who make a

living after retirement as night watchmen at the mining property, the forestry company, the small strip mall or whatever it might be who use that as an income in retirement. What you're doing by way of this bill is saying that these people need to pass a certain requirement when it comes to training, when it comes to licensing, that they may not be able to meet, which puts that kind of employment out of reach.

I repeat what the member for Niagara Centre said: If we're trying to deal just with making sure that we don't have security guards trying to pass themselves off as cops, I think we can all agree with that. But this bill goes further, and I think it's a sad thing. On behalf of the constituents who I know are going to be calling me on this issue, I want to make sure I'm on the record as saying that this is not a good idea.

The Acting Speaker: Questions and comments? Seeing none, further debate? Is there anyone else who wishes to participate in debate? No.

Mr. Kwinter has moved third reading of Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999.

Is it the pleasure of the House that the motion carry?

Mr. Kormos: No.

The Acting Speaker: I heard a no, quite clearly.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

There being more than five members, call in the members. There will—I don't think there will be a 30-minute bell because I see the chief government whip here.

This reads as follows:

"Pursuant to order 28(h), I request that the vote on the motion by Minister Kwinter for third reading of Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999, be deferred until the time of deferred votes, December 15, 2005."

Signed by Dave Levac, chief government whip.

Orders of the day.

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I move adjournment of the House.

Mr. Kormos: The Liberals don't want to work.

The Acting Speaker: Order, please. A motion of adjournment has been made. All those in favour? Carried.

The House stands adjourned until December 15 at 10 o'clock.

The House adjourned at 1610.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Hon. / L'hon. Michael A. (L) Speaker / Président	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC) Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Halton	Chudleigh, Ted (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton Mountain	Bountrogianni, Hon. / L'hon. Marie (L) Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hastings-Frontenac-Lennox and Addington	Dombrowsky, Hon. / L'hon. Leona (L) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Brant	Levac, Dave (L)	Huron-Bruce	Mitchell, Carol (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Burlington	Jackson, Cameron (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, Hon. / L'hon. John (L) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley East / Don Valley-Est	Caplan, Hon. / L'hon. David (L) Minister of Public Infrastructure Renewal, Deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lanark-Carleton	Sterling, Norman W. (PC)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Leeds-Grenville	Runciman, Robert W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Durham	O'Toole, John (PC)	London West / London-Ouest	Bentley, Hon. / L'hon. Christopher (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglinton-Lawrence	Colle, Hon. / L'hon. Mike (L) Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London-Fanshawe	Ramal, Khalil (L)
Elgin-Middlesex-London	Peters, Hon. / L'hon. Steve (L) Minister of Labour / ministre du Travail	Markham	Wong, Tony C. (L)
Erie-Lincoln	Hudak, Tim (PC)	Mississauga Centre / Mississauga-Centre	Takhar, Hon. / L'hon. Harinder S. (L) Minister of Transportation / ministre des Transports
Essex	Crozier, Bruce (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke Centre / Etobicoke-Centre	Cansfield, Hon. / L'hon. Donna H. (L) Minister of Energy / ministre de l'Énergie	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Etobicoke-Lakeshore	Broten, Hon. / L'hon. Laurel C. (L) Minister of the Environment / ministre de l'Environnement	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara Falls	Craiton, Kim (L)
Guelph-Wellington	Sandals, Liz (L)	Nickel Belt	Martel, Shelley (ND)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nipissing	Smith, Monique M. (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Northumberland	Rinaldi, Lou (L)	Sudbury	Bartolucci, Hon. / L'hon. Rick (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oak Ridges	Klees, Frank (PC)	Thornhill	Racco, Mario G. (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oshawa	Ouellette, Jerry J. (PC)	Thunder Bay–Superior	Gravelle, Michael (L)
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	North / Thunder Bay–Superior- Nord	
Ottawa South / Ottawa-Sud	McGuinty, Hon. / L'hon. Dalton (L) Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Timiskaming–Cochrane	Ramsay, Hon. / L'hon. David (L) Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa West–Nepean / Ottawa-Ouest–Nepean	Watson, Hon. / L'hon. Jim (L) Minister of Health Promotion / ministre de la Promotion de la santé	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa–Orléans	McNeely, Phil (L)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Smitherman, Hon. / L'hon. George (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa–Vanier	Meilleur, Hon. / L'hon. Madeleine (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Trinity–Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan–King–Aurora	Sorbara, Greg (L)
Parkdale–High Park	Kennedy, Hon. / L'hon. Gerard (L) Minister of Education / ministre de l'Éducation	Waterloo–Wellington	Arnott, Ted (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Parry Sound–Muskoka	Miller, Norm (PC)	Willowdale	Zimmer, David (L)
Perth–Middlesex	Wilkinson, John (L)	Windsor West / Windsor-Ouest	Pupatello, Hon. / L'hon. Sandra (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Peterborough	Leal, Jeff (L)	Windsor–St. Clair	Duncan, Hon. / L'hon. Dwight (L) Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	York Centre / York-Centre	Kwinter, Hon. / L'hon. Monte (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Prince Edward–Hastings	Parsons, Ernie (L)	York North / York-Nord	Munro, Julia (PC)
Renfrew–Nipissing–Pembroke	Yakubski, John (PC)	York South–Weston / York-Sud–Weston	Cordiano, Hon. / L'hon. Joseph (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Sarnia–Lambton	Di Cocco, Caroline (L)	York West / York-Ouest	Sergio, Mario (L)
Sault Ste. Marie	Oraziotti, David (L)	Nepean–Carleton	Vacant
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	Toronto–Danforth	Vacant
Scarborough East / Scarborough-Est	Chambers, Hon. / L'hon. Mary Anne V. (L) Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	Whitby–Ajax	Vacant
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	Phillips, Hon. / L'hon. Gerry (L) Minister of Government Services / ministre des Services gouvernementaux		
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St. Paul's	Bryant, Hon. / L'hon. Michael (L) Attorney General / procureur général		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

Second Session, 38th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 38^e législature

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(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 15 December 2005

Jeudi 15 décembre 2005

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 15 December 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 15 décembre 2005

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT AMENDMENT ACT (ASSISTANCE TO MUNICIPALITIES), 2005

LOI DE 2005 MODIFIANT LA LOI SUR L'AMÉNAGEMENT DES VOIES PUBLIQUES ET DES TRANSPORTS EN COMMUN (AIDE AUX MUNICIPALITÉS)

Mr. Yakabuski moved second reading of the following bill:

Bill 3, An Act to amend the Public Transportation and Highway Improvement Act with respect to the assistance that the Minister provides to municipalities / *Projet de loi 3, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun à l'égard de l'aide apportée aux municipalités par le ministre.*

The Acting Speaker (Mr. Joseph N. Tascona): Pursuant to standing order 96, the member has 10 minutes for his presentation.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): It is a pleasure to move second reading of Bill 3. Before I start, I'd like to turn your attention to the members' gallery, where I have as my guests today my good wife, Vicky, and the warden of Renfrew county, who is also the chair of the Eastern Ontario Wardens' Caucus, His Worship Bob Sweet.

The reason I introduced this bill is because when the present government brought in a gas tax rebate program, they extended it only to the 105 municipalities, out of some 445, that have a public or rapid transit system operating in their municipality. We feel this is a fundamental issue of fairness with respect to the way rural Ontario is treated. One of the great problems in rural Ontario today is the ability to keep in good condition the infrastructure they're responsible for, such as the county roads, the municipal roads, and the bridges, which in my county is one of the biggest challenges we have. Warden Sweet could certainly let you know that we have over 250 bridges in Renfrew county alone.

As you know, Renfrew county is the largest county in the province of Ontario. But when I speak of this bill, I

speak not just of Renfrew county, while that is the county that I call home; it is in regard to every rural municipality and rural county in this province. As I said, we feel it is a fundamental issue of fairness, because when you go to the gas pumps in rural Ontario, it doesn't say "Rural: gas tax exempt." No siree. You pay the 14.7 cents a litre tax in rural Ontario the same way they pay it in every municipality in this province, because that's equal treatment. However, when that tax rebate is divvied out on behalf of rural Ontarians, only those in the province of Ontario that have a public transportation system or a rapid transit system receive a portion of the rebate.

We understand very clearly that public transportation needs to be supported in this province, and public transportation is supported and subsidized to a great degree by the taxpayers—not by the users, but by the taxpayers. Of course the users pay, but the taxpayers also subsidize public transportation systems. Well, we do have a public transportation system in Ontario's rural communities. It is called Township Road 37 or County Road 58, or a bridge traversing the Bonnechere River or Byers Creek or whatever. That is the public transportation system. In my county of Renfrew, we have 17 rural municipalities that could benefit greatly from receiving a share of this gas tax.

I must point out that while I would be the last one to support and promote the federal Liberal government in this House or anywhere else, that government has actually recognized that rural communities have a right to share in the gas tax, so the federal gas tax is actually being shared by all municipalities, not just those with public transportation systems. They recognize that rural communities have significant challenges.

The government will say, "We have the COMRIF program," but that's a three-way split—federal, provincial and municipal—and, "We have the Ontario municipal partnership fund." Well, with the challenges facing rural Ontario communities today, COMRIF simply doesn't cut it. The applications for support and funding far outstrip the ability of the governments to fund them at this point. If municipalities are going to go ahead with planned projects, whether they get funding or not, they're going to be doing it on the backs of their taxpayers at home, and that simply is too much for them to bear at this time. Taxpayers across this province feel that the weight of taxation is too severe already. When there is an ability to reduce some of that load for rural municipalities, I think it behooves this government or any other government to act quickly and fairly and equitably to adjust that load so

that the people of rural Ontario share in that enhanced funding.

1010

We have to realize that the ability of rural people to pay—for starters, they pay a far greater share per capita of the gas tax here in the province, because it is not a five-minute bus ride from Barry's Bay to Renfrew. It is not like getting on at Danforth and heading up to Bathurst or wherever. It is a long ride—an hour—and you can only accomplish it by some sort of privately operated mode of transport. It's a 100-kilometre trip, and you know that with gas prices today, it is not cheap. The bus simply doesn't pick up people in Quadeville and let them off in Palmer Rapids. It doesn't happen.

Those challenges exist for the people of Ontario in such a way that the amount of their discretionary income, which is lower in places like Haliburton county and my county—among the lowest in the province—they have less income to spend on gas, but they must spend more of it because they have only one choice of how they get around for work, for family activities or for discretionary activities. They can only get there by private vehicle. So they pay a disproportionate share of the gas tax and they have a disproportionately lower income than people in other parts of the province.

That is being addressed very well, I must say, by the Eastern Ontario Wardens' Caucus. They have addressed that inequity, as we see it in eastern Ontario, with respect to other areas of the province. My colleague, Norm Sterling, of Lanark-Carleton has introduced a private member's bill to bring in a heritage fund, similar to the northern Ontario heritage fund, to address the difficulties that people in eastern Ontario face. That is a fundamental challenge that is not being addressed by this government with respect to the way they have treated rural Ontario. So this is an opportunity. I say to all the members on the opposite side who serve rural constituencies: You feel and sense our pain; you understand what it is like in a rural community where incomes are not at or above the provincial average, but many times below—in my particular county, significantly below; one of the lowest three in the province—and the challenges they face.

This is an opportunity for you to stand together, as rural members and rural representatives, and say, "We do want to see this kind of support for rural Ontario." We're not giving them anything but their own money back. They deserve to get back some of the taxes they pay at the pump every day, every week on a continuous basis. I say to members on all sides of this House that this is an opportunity to stand up and support rural Ontario at a time when your support has never been needed more.

I want to speak again to the fundamental fairness of this bill. We are not asking to you to create a special category, to say, "Let's help out the rural folk;" we are asking you to do something that is being done today in 105 municipalities across this province. We are only asking for fair treatment so that when people from rural Ontario ask themselves, "Do we feel engaged? Do we feel as though we are equal partners in this community of

Ontario?" they can say, "Yes." And we can, because the government wants to recognize, through a private member's bill, that they contribute to this province in ways that are immeasurable. They only want to share in the wealth that is being distributed so that people in rural Ontario do not sense there is a divide in this province between urban and rural. We are one province working toward the same goal. This is a tremendous opportunity today to stand together and say that when it comes to gas tax rebates, everybody in Ontario will be treated exactly the same.

Mr. Gilles Bisson (Timmins-James Bay): I'm glad to get an opportunity to get on the record on this particular issue. Like the member from Renfrew-Nipissing-Pembroke—that's a mouthful—I also represent a riding that's quite large; in fact, I would argue, quite a bit larger than Nipissing-Renfrew-whatever; Pembroke—I'm sorry, but names of ridings elude me. I know my own and that's about all.

I'm the member for Timmins-James Bay, and I know well what the member talks about when it comes to the entire issue of being able to service one's constituency, especially in a rural setting. There's a feeling out there, and I think that's what the member is trying to speak to: Many communities in rural and northern Ontario feel as if they're being left out. They feel they are not getting the attention from this provincial government—or the federal government, for that matter—when it comes to properly supporting their communities. We have seen a move on the part of the federal government and we have seen a move by the provincial government of downloading services on to municipalities. We've transferred ambulance services down to the municipalities and we've transferred a number of other services down to the municipalities which have become an increasingly greater financial burden for those municipalities, to where now communities are having to pay for a lot of soft services that quite frankly should be provided by the province and not by municipalities. I know that the warden, who is here today, would agree with me that the province, rather than doing what it has been doing as far as the downloading exercise and trying to cry to the federal government, "Stop picking on poor Ontario, because we have this huge gap," should try fixing what is in their own backyard; that is, addressing the gap that they have created with municipalities when it comes to the download.

We have seen a move of services that the province used to provide themselves transferred down to the municipalities; taking ambulance services that used to be 100% paid by the province and transferring ambulance services partly down to the municipalities to where, in some cases, the municipalities are paying as much as 70%. In my particular constituency of Timmins-James Bay, the province now pays only about 38% of the entire ambulance cost. That's what we mean by downloading. I think what we need to do is figure out ways of re-uploading back to the province those things that we're best at delivering and allowing the municipalities the

room financially to deal with the issues that they are best able to deal with.

Now, on the transportation side, I want to echo what the member says: In many communities across rural and northern Ontario, there are no transit services. I support the initiative of using the gas tax to create a pool of dollars that will assist municipalities to provide better transit services, but I want to remind members of the government, especially the Liberal members who are here now for the first time, that there used to be dollars from the province, way before you guys came along, that supported transit services. I remember being part of the NDP government that gave up to about 70% dollars to municipalities to buy new buses. We used to be able to provide capital dollars to assist them, and we also used to provide dollars to help them operate their transit systems. That was eliminated, and that's what this gas tax, 1.5%, is all about: trying to find some way of dealing with the huge financial crunch that that has put on municipalities. I would argue that the province really needs to look at its responsibility of making sure that we properly support those services that we as a province want to mandate the municipalities to do. If the province is saying, "We believe in public transit," which we should, I think we need to pony up and put the dollars there to make sure that happens and to develop the policies.

On the issue of roads, this is one of the hugest issues in most of our constituencies. There used to be a time that the province provided capital dollars to municipalities to repair municipal roads. I remember the roads programs of the Ministry of Northern Development and Mines and the roads program of the Ministry of Transportation. I forget what the capital budget was, but it was fairly huge. I think it was about \$2 billion or \$3 billion a year that we used to spend on roads—I don't quite remember the number now—as far as capital, not only supporting provincially owned highways but on assisting municipalities to reconstruct roads. For example, municipalities in my riding—I can think of Kapuskasing, Hearst, Moosonee, Timmins and other communities—applied at one point for dollars from the province, and the feds used to get involved at times too, depending on the programs that were available, in order to fix their own municipal roads. Now there is almost nothing available in order for municipalities to get provincial dollars to fix roads.

They're in a situation where the province has downloaded a whole bunch of services on to the municipality: We've transferred roads and highways, for example, in Timmins. We've downloaded I forget how many kilometres of provincial highways on to municipalities and said, "You maintain those roads, snow-clear them, make sure the lines are painted, and fix the bridges and roads when they've got to be fixed." The municipalities don't have the money. A good example is what is currently happening on Highway 67. The bridge on Highway 67 in between Iroquois Falls and Timmins is not about to fall, but the city engineers are worried that heavy truck traffic will lessen the life of that bridge and put the municipality

in a position of having to replace a bridge they can ill afford to replace. As a result, they've put a limit on the weight of that bridge. Consequently, all transport trucks that now go between Timmins on the Highway 101 side and Highway 11 up to Cochrane or Iroquois Falls or wherever it might be are now having to detour back up through Highway 11, up in Matheson, really putting them out of their way.

1020

It seems to me a really stupid thing that the province did in downloading these highways in the first place. That's not a municipal road; it's a highway. It connects two cities: It connects the city of Timmins with the Highway 11 communities of Iroquois Falls, Matheson, Val Gagné, Cochrane and others. Where the province gets off saying that's a municipal road is beyond me. I think that's what this member is trying to speak to, saying that municipalities, especially rural and northern municipalities, are feeling left out of the attention that the province should be giving in supporting their communities. They're saying to themselves, "We're having to pay for more and more services every day," and the province and the feds—especially the province, because we're the primary funder—are not there when it comes to helping them.

For example, the town of Moosonee up on the James Bay—do you know what they would like to have, just a very simple little thing? A little bit of asphalt on the roads, or pavement, as other people would call it. In the summer months, the dust that comes off the roads in the town of Moosonee is just atrocious. It makes the grass turn grey from the dust from the vehicles driving up and down Bay Road and other roads up in Moosonee. The community there, the residents, along with their municipal council—Wayne Taipale, who's the mayor, and the council have been asking the province for dollars in order to pave the roads. The province has been very slow in responding to any kind of request that the town of Moosonee has put forward. They're saying, "What about us, what about a little bit of pavement on our roads so that we can cut the dust down?" It has become a health issue. We know there's a bigger issue nowadays with children who are asthmatic, and we're finding there's a health effect of all of the dust in that community because of the conditions of the municipal roads not being paved. Why don't we have dollars to be able to assist the town of Moosonee to do something very basic?

I look at Hearst. Hearst has applications currently before the province in order to assist with the reconstruction of some of their municipal roads, because they are aging as well. I've got to say, the town of Hearst has done quite well on their own, trying to upgrade the roads in their community, but there's only so much that they can do. Mayor Siguoin, along with his councillors, Rheume and others, have been out lobbying the provincial government to get dollars to fix their roads, and there's no money coming forward.

The resentment that Mr. Yakabuski brings forward in regard to his bill today, I think, is one that is felt by a lot

of rural and northern municipalities. They're saying, "Listen, we want the provincial government to help us deal with the issues that face our community. We are tired of being picked on as communities. We are tired of the province saying, 'Here's another soft service that we're going to transfer over to the municipalities so you can pay,'" and at the end of the day be in a position where the municipality is having to pay for more and more services that used to be provided by the province. The province is taking it off their own backs and throwing it onto the backs of municipalities and feeling they really have the squeeze.

Yesterday was quite interesting. The province introduced an act in this Legislature with regard to the city of Toronto. I have to say, here's the biggest exercise in instituting downloading in the history of the province of Ontario. The Liberals, in opposition, used to go apoplectic—I remember Sandra Pupatello, George Smitherman, Dalton McGuinty and others, and the now Finance Minister, getting up in the House, totally appalled by the downloading exercises that were going on at that time by the government of the day. They were just absolutely beside themselves. They were saying, "Oh, my God, you've got to stop transferring all those services on to the municipalities." And they were saying, "If we're government, we're going to be different. We're going to create partnerships with the municipalities and re-upload those services back on to the province. What did they do yesterday? They introduced an act that said that the city of Toronto will now be able to levy its own taxes on a whole bunch of things that they never used to be able to tax before. For example, the city of Toronto could collect a tax on cigarettes, they'd be able to collect a tax on sports tickets, they would be able to put up tolls on municipal roads—a whole range of taxing powers given to the municipality of Toronto as a way of dealing with their financial crunch.

First of all, this is a bad idea, because what it does, in my view, is institutionalize the downloading. It basically says to cities that are now going to look at Toronto, which is sort of the pilot project of this new genre of institutionalizing the whole issue of downloading—and they're wondering what that is going to mean for them. If you are the town of Hearst, I'll tell you that there are not a lot of taxes you can get by way of new taxing powers for municipalities. First of all, they're never going to get the money they need, and more importantly, it will take the province off the hook when it comes to their uploading services back on to the province, where they rightfully belong.

I think what Mr. McGuinty did yesterday to the city of Toronto is, in the long run, somewhat of a disservice. The issue for Toronto is a very simple one. Yes, there are things in that bill that are probably OK for Toronto in regard to some of the powers—I would argue that the taxing power is not a very good one—but the real issue for Toronto is that they have a \$500-million deficit to deal with, and this ain't going to do it. The province is more or less saying that they might look at doing some-

thing very short-term, but they're not going to do anything long-term to fix the financial problem that the city of Toronto has. I would expect that they may give some money to Toronto to help them address their \$500-million deficit this year, but I wonder what would happen after that. I think that this government, in introducing this bill, is going to hurt the cause of the city of Toronto and others in the longer run by saying, "Don't look at us to re-upload services, because you now have taxing powers. If you have a revenue problem, go raise the money." That's basically what they're going to say. The problem with that is that it's the province's responsibility to maintain a lot of those soft services that have been transferred to the municipalities.

The other issue for smaller communities is that even if you gave them taxing powers, what is there to tax? If you are in the community of Hearst or in a small community in my good friend Mr. Wilson's riding of Simcoe-Grey—if you give the municipalities in your riding taxing power, how much is that going to raise? Is that going to fix the problem?

Mr. Jim Wilson (Simcoe-Grey): Dogs and cats.

Mr. Bisson: Exactly. Are you going to tax the dogs and cats? That's about where we're at, right? There is not a lot. I look at the town of Hearst. There are three hotels. You can put a hotel tax on the three hotels in Hearst, but that is not going to raise a lot of money. It's going to make citizens pretty mad, those people who have to go out and rent the hotel rooms. Sports tickets: We sell a \$5 ticket to watch the hockey game in the arena in Hearst, and what is the municipality going to do: raise it again? That's going to make them very popular. First of all, there is a downside politically for the local councils, but second, you're not going to raise a lot of money for those smaller communities.

I applaud the member for bringing this legislation into the House today because I think it really speaks to the problem that exists: that the province has to start addressing the financial problems of all communities but, I would argue specifically in this case, of small rural and northern communities. They are increasingly in a very tough spot financially as a result of the province's transferring on to the backs of municipalities services that used to be paid by the province. The government needs to do something to address that. For the province to say, "You can go out and tax something else"—I'm not sure that's really the way of doing it; not by transferring tax powers on to municipalities. The province has to look at what it is best suited to do when it comes to properly delivering services and what the municipalities can properly do, and make sure we re-upload those services that belong to us.

The last point I want to make: It flies in the face of the argument the Premier makes against the federal government in regard to the gap. I would say that, yes, there is a gap between Ottawa and Canada. There is no argument about that; we've been saying that for years. But how can you go to the federal government and argue, "Treat me fairly," when you don't treat your own municipalities

fairly? I think there is a double standard and a little bit of hypocrisy—I don't think it's unparliamentary to say that—in regard to the position the government and the Premier are taking. I would urge that government members look at this legislation for what it is and understand that the member is trying to say, "Small communities need help. We are asking the province to do so. You haven't done it. Please listen to us." That's what this legislation is all about.

1030

Mr. Phil McNeely (Ottawa—Orléans): I'm pleased to speak to Mr. Yakabuski's Bill 3, An Act to amend the Public Transportation and Highway Improvement Act. This bill, proposed by the member for Renfrew—Nipissing—Pembroke, would require the minister to make provisions for portions of the gas tax funding to go toward maintenance and operation of public highways in Ontario municipalities. This is purely and simply grandstanding and hypocritical. He well understands how this legislation came forward. All the legislation, all the funding came forward fairly for the municipalities in Ontario.

In response to his proposal, I'd like to remind the honourable member that the McGuinty government has created a variety of supports for municipal funding and also to suggest that the gas tax was implemented for the sole purpose of maintaining and encouraging the use of public transit in municipalities. In 1998, his government, as we all know, took that 75% funding that was there for public transit and reduced it to zero. They were going back to the Stone Age, the one-passenger vehicle on our highways, and they were going to build us out of congestion that way. As we know, congestion has increased a great deal. I was looking at some of the figures for the 401. These increases show that roads cannot solve the transportation problem in Ontario. We have to get the public transit dollars.

This money was specifically allocated to public transit. That two cents per litre, which it will be at the end of the period, will help 83 transit systems benefit from this funding, and their services will extend to 110 municipalities. The funding provided by the gas tax is significant. It amounts to \$234 million between 2005 and 2006, and over the five years, it will be over \$1 billion—a real commitment to public transit, a real commitment to sustainable cities in our province. Those dollars were allocated for that purpose. To make this investment in our public transit, in our air quality, in our sustainable cities—to take those dollars and use them for another purpose is just not what should happen.

The improvements to transit that stem from this funding were intended to relieve congestion and gridlock on our highways, to decrease the greenhouse gas emissions caused by this congestion and provide quicker, easier forms of transit for commuters. Bill 3 would undermine the goal of this funding and limit the province's ability to meet these important provincial priorities.

Bill 3 aims at improving the public highways in municipalities. However, we have already allocated funding to municipal roads and bridges through the COMRIF pro-

gram. COMRIF allows for \$900 million over five years to municipalities that apply. In the first round, 57 road projects and 123 bridge projects were approved for funding, and that funding was dedicated to those exact municipalities for that purpose. It was done at the same time as the funding was considered for public transit.

The municipalities that require most assistance are usually smaller rural and northern communities. To this end, we introduced the Ontario municipal partnership fund, which gives priority to such communities. I'd just like to read where some of the funds went. Arnprior is now receiving \$889,000 for 2005—an increase of \$386,000 in the member's riding. This is great. The Madawaska Valley is now receiving \$916,000 for 2005—an increase of \$267,000. These are real improvements in the funding for those municipalities that was done at the same time as these funds were allocated. The Ontario Strategic Infrastructure Financing Authority was also put into place for that purpose, and it is helping municipalities of under 100,000 to finance their projects.

It is important that we step back and review just how much this government has done to improve the infrastructure in our municipalities. The previous government had a history of downloading, and provincial highways and bridges were just some of the projects that were downloaded on to rural municipalities that couldn't possibly afford them. Those eight years of downloading, those eight years of taking money from those municipalities, have put them in a serious situation. We are working with our new programs to alleviate that. In the 1998 downloading of all the funding for public transit, all of a sudden the cities found out that, from 75%, they were being reduced to nothing. The buses got older, and whole bus fleets had to be replaced in 2003, 2004 and 2005. That was a setback. The ridership dropped. Making our cities more sustainable took a very, very bad hit in 1998 when the Harris government Tories took away all that funding. In 1998, the Tories downloaded GO Transit to the municipalities—another action that didn't help public transit.

After having suffered from downloading for so long, I think it's only fair that infrastructure and public transit systems in the municipalities should benefit from the funding programs set up by the McGuinty government. Similarly, the funding from the gas tax should remain focused on improving public transit, which will in turn decrease congestion and gridlock, and improve air quality and the quality of life for all Ontarians.

Mr. Wilson: I don't normally speak on Thursday mornings but I wanted, in spite of the fact that we had a caucus Christmas party last night, to be here to support my friend John Yakabuski, the member for Renfrew—Nipissing—Pembroke. John is doing an excellent job. Almost daily he asks questions—he certainly does petitions daily—on behalf of his municipalities and the people of Renfrew—Nipissing—Pembroke. He's also got a terrific sense of humour, although this morning's topic isn't that funny. What he's really doing is helping the Liberals, I say to the member for Ottawa—Orléans, who just spoke, fulfill one of their 231 campaign promises.

I sat through seven all-candidates' meetings in my riding, and I'm sure there were hundreds and hundreds across the province in 103 ridings. The fact of the matter is that consistently, at every one of those meetings, not only the impression but the fact that the Liberal candidate purported to put forward was that this government—the Liberals, if they came to government—would make sure that every municipality got a share of the gasoline tax. There were no strings attached. They come to office, and only 105 of the 445 municipalities are actually receiving any share of the gasoline tax.

You can talk about COMRIF funding. To the people at home: That's the Canada-Ontario municipal funding program, infrastructure program. That's not what this bill deals with. This deals specifically with your campaign promise that every municipality would get a share of the gas tax. They come to office and say it's only about a quarter of the municipalities, and then they say it's only those municipalities that have public transit. As Mr. Yakabuski and Mr. Bisson pointed out, public transit in rural Ontario is our highways; it is our bridges; it is our automobiles. You've cancelled Highway 26. What happened to the \$34 million for that highway?

You can at least live up to one of your campaign promises. Mr. Yakabuski is doing you a favour to get up and get off-topic and talk about other infrastructure programs—which, by the way, the federal government is helping to pay for. The federal government didn't make this promise the way you made it. In fact, they didn't make the promise but they actually brought in the program. They didn't talk about it in 2003. They knew that AMO and other municipal organizations across the country had resolutions in this regard, but the federal government is actually sharing their gas tax now with every municipality, and it's a big help. I know we're in the middle of a federal campaign and I don't want to endorse anyone but the Conservatives, but the fact of the matter is that it's a big help and they did bring in a program.

I want to support the legislation. I hope all members will; I don't know how you can't. You absolutely have to vote for it or else you'll just be slamming, once again, rural Ontario. You're not doing very well out there right now. People feel neglected in rural Ontario and they feel that you've let them down. This morning, this bill gives you an opportunity to correct what you've done wrong to rural Ontario.

Mr. Mario G. Racco (Thornhill): I want to thank the member for Renfrew–Nipissing–Pembroke for introducing Bill 3. I understand that he represents an area and he wants to bring as many dollars as possible to his riding. That, generally speaking, is the right thing to do for any honourable member. I also understand that his wife is here today; I want to welcome her to this House.

The gas tax objective was to deal with a major issue that the Tories created in Ontario, and that was to address public transportation issues. Unfortunately, the Tories in 1998 started reducing not only the operating costs of public transportation but also the construction of new subways, new busing and so on.

Therefore, what we promised during the campaign was to bring two cents over our mandate to address public transportation. For us to now start removing some of this funding from an area that is in such need would be the wrong thing to do.

We have other programs that address the needs and wants that the member suggested in Bill 3. That has been done. In addition to that, there is discussion going on between the province and the feds to also come up with new money to assist and improve conditions outside and within the big cities. Therefore, I believe that that will give more than what the member would be asking for under Bill 3.

1040

The cities, and in particular Toronto and the GTA—my area of Thornhill, Concord, the city of Vaughan, the town of Markham; the region of York and all four regions that make up the GTA—these areas are suffering significantly because of the poor public transportation that, unfortunately, the Conservatives before us created. As I said, in 1998, they started the process which I think took three years, brought the municipalities' subsidies to zero, and therefore many municipalities had to stop investing the money they had been investing in new bus-ing, expansion of the subway system and maintaining the system that was there.

We know that the city of Toronto keeps on saying to us, over and over again, that they need more money just to bring the service to the level that is needed, yet we are looking for new money to expand the Spadina-York subway extension; we are also looking at a connection to Scarborough that would also allow a connection along that line to the town of Markham, we are looking at Yonge Street public transportation improvements that would bring the line to Newmarket; and at a system where people who fly at Pearson International would be able to connect to downtown Toronto.

Those things happen in other cities such as Paris; such as Rome, Italy; such as Tokyo; Frankfurt, Germany. Those types of services already exist. Why can't we have them in Toronto? One way of doing it in the GTA is by starting to look at funding for that specific purpose. That is what we did. In fact, we promised before the election—and we did deliver—the two cents per litre of existing tax; we already did one and a half, and the other half cent will come in next October. It's my hope, and certainly I will champion as much as I can, that as we balance the books that unfortunately our friends from the Conservatives left with a major deficit, we might even be able to look at increasing that two cents to a higher amount, so that public transportation will become more important, as it should be, because most of the pollution that we are getting is because of poor public transportation.

I had the fortune of being in China recently. When I visited, for instance, the Hong Kong subway system, what a difference. People there go to weddings in tuxedos. Normally, they go by public transportation. The reason is very simple: They are comfortable using it. It's

quite comfortable. Even if it's packed, because of the way the system is built, because of the first-class service they provide, people use it.

We must do that in the GTA in particular, but also in other cities like Ottawa, London and major cities in Ontario. It can be done. The only thing we have to do is convince ourselves that more public money must be allocated. What this bill will do, in fact, is take money away, money that we specifically allocated for public transportation. Even if I congratulate the member from Renfrew–Nipissing–Pembroke for the objective of bringing more money to these areas—because that's our job—I think he is asking to take the money from the wrong account, and therefore I cannot support it. I encourage him because his riding and his constituency will benefit when we have a strong Toronto, a strong GTA, which will be able to operate more economically and more efficiently, because all the province of Ontario will benefit when the GTA does well. There is lots of revenue in this region. There are lots of taxes that are paid because we are able to have a better economy.

We all should do whatever we have to to make this area even more economically viable, because when that happens, more investments take place here and more taxes will be paid to the province of Ontario—and to Ottawa, our friends who are getting \$22 billion more than they are investing in this province. When we are able to get some of that money, and more taxes from you and I because the economy will do better, then we can certainly allocate more funding in other areas, and all of us will benefit.

I have more to say, but I understand that a colleague of mine wishes to add more.

Ms. Laurie Scott (Haliburton–Victoria–Brock): It's a pleasure to rise today to speak on Bill 3, the Public Transportation and Highway Improvement Act (Assistance to Municipalities), 2005, brought forward by my friend and colleague the member for Renfrew–Nipissing–Pembroke, who is very articulate in bringing forward the concerns of rural Ontario. I was quite disappointed by the Liberal member who is speaking against this bill—soon to be voting against it, I guess—because it isn't fair, and rural Ontario wants a fair shake. This is why the member from Renfrew–Nipissing–Pembroke has brought the bill forward to address the concerns in rural Ontario.

There has been talk about the federal election going on. This is a big topic in my riding. It has a lot of media attention. The Conservative candidate, who is the MP in the riding of Haliburton–Victoria–Brock, Barry Devolin, has also worked a lot with municipalities on this and has gotten petitions signed, because it is unfair what's going on with the gas tax sharing for rural Ontario. I want to thank him for that and wish him luck in the upcoming election. I know I'll be there supporting him.

The issue is that we need to improve our gas tax system, not just because there is public outcry but because it is the fair thing to do. I'm going to use that word a lot through here, because what's happening in rural Toronto isn't fair. The daily financial pressures on the constitu-

ents in my riding, whether they're farmers, seniors on fixed incomes, small business owners, young and growing families or professionals—the dramatic increase in the price of gas is a significant extra expense for them, this year especially. Many people are frustrated, and they're frustrated because they know there are considerable taxes placed on the price of the gas that they must purchase. We need to remember that most Ontarians have no choice but to buy gas to get to and from work, take their kids to school or hockey team practices, and transport goods for businesses. We all agree that the taxes are too high, but we have the potential to use this asset to benefit all Ontarians equally.

That's what this bill does. It addresses the current uneven distribution of the gas tax head-on to make the gas tax benefit all Ontarians. We need to ensure that the needs of rural residents are not undercut by the requests of urban residents in this province. I've thanked the member for speaking up on behalf of rural ridings many times. I've thanked him for recognizing that roads and highways travelled by residents of rural Ontario are no less important than the streets in Toronto's financial district or the public transit system that runs underneath this building. Currently, the Gasoline Tax Act refers to and leans toward uses like the ones I mentioned, for extending or improving subway lines, bus routes and public transit infrastructure.

But the residents of Haliburton–Victoria–Brock are less concerned with the TTC than they are with safe roads to travel to work, to school and on the highways and byways that crisscross my riding. Winter is a long season, full of dangerous and difficult driving. We need to ensure that the roads they travel every day are well maintained, well serviced and continually improved. In Kawartha Lakes, one part of my riding, nine Kawartha Lakes roads were nominated for the worst road in the province in 2003. None of them made the top 20, I'm thankful, but the fact that over 11,000 Ontarians voted in this contest says something about the critical mass worried about the local highways and roads.

We should all answer this call. Adapt the Gasoline Tax Act to address these concerns. Support the bill proposed by my colleague from Renfrew–Nipissing–Pembroke. The member himself said it best when he said that local roads, highways and bridges are, after all, the public transportation system in rural Ontario. I have the stats from my communities. The member from Peterborough is not here, but it takes in Peterborough county, the county of Haliburton, Brock township and the city of Kawartha Lakes: Over 80% use roads to get to work every day. This is our infrastructure. I can't say it enough. We rely on a fair share of gas tax to build our roads.

1050

Kawartha Lakes councillor Dave Marsh spoke in the local newspaper about the requirement for the gas tax that the \$50,000 be spent on new bus shelters in the town. Now, I understand that we're working to improve public transport and that we encourage residents of our ridings

to make environmentally sound transportation decisions, but to ask that a town spend \$50,000, a significant amount of money, on a bus system that's marginal at best instead of keeping our high-traffic highways and roads safe, clean and modern is a terrible mistake and could easily be remedied by this bill brought forward today.

It's not just a vanity project for municipalities. It's the safety of Ontarians that's on the line. Rural ridings need to work extra hard with limited resources to keep the roads clear in the winter and safe throughout the year. There's a big storm coming tonight. Except for Brock township, all the municipalities I mentioned in my riding are part of the Eastern Ontario Wardens' Caucus. Bob Sweet chairs that, and is here today. They have been very involved in eastern Ontario, promoting the special needs there. We supported the member from Lanark-Carleton, Norm Sterling, when he brought his private member's bill back in, that eastern Ontario needs its fair share.

I think the best way is for us to realize the differences between rural and urban transportation issues, because we don't want a split between rural and urban Ontario. We all want to work together. Mayor Barb Kelly said in the local paper, "For the city of Kawartha Lakes, we have 72,000 people but we have 2,400 kilometres of road. We probably have more roads than Toronto ... They're getting millions. Over five years, we're getting \$11 million, but compared to what Toronto is getting, it's not close. It's not as fair as it could be." She's right on.

I encourage all members to approach this bill as a matter of fairness for rural Ontario. It's time this was acted on. I'm certainly going to support this, and I thank the member from Renfrew-Nipissing-Pembroke for bringing this bill forward.

Mr. Kevin Daniel Flynn (Oakville): In the short time that's left, I'd like to address this bill as well. First, I want to extend my congratulations to the members from the rural ridings who have stood up for their communities. That is the role and task of all members in this House. However, the tool that's being chosen here to provide the funding for highways in rural areas would have an impact on my own urban community of Oakville.

Oakville has long recognized, as a growth area in this province, that that growth could be stymied if we didn't have a proper transit system. In the 1980s, we talked about building communities that would have a transit-modal split of about 25%. What that means is that on a daily basis, 25% of the people in Oakville, who are getting up in the morning and going to school or to work or just going about their business, would use transit. In fact, because of downloading and various other funding issues, my own community has only been able to achieve to date a transit-modal split of between 5% and 7%. That simply isn't enough in a modern economic community.

So to suggest that we should take further money away from municipalities, having implemented a policy where we've agreed as a government to provide a certain portion of the gas tax for public transit in municipalities such as mine—to stand in this House and suggest that that number should be reduced I don't think is in the best

interests of this province or its economy. In fact, I think a very strong argument could be made that that funding for public transit should be increased.

While I appreciate the member standing up for his community, I don't want to see the gains that may be made in rural Ontario come at the expense of my own riding of Oakville. They have sent me down here to do a job, and that is to provide public transit. As a government, I think we're doing that.

Mr. Ted Arnott (Waterloo-Wellington): It's my pleasure to rise today to speak in support of Bill 3, An Act to amend the Public Transportation and Highway Improvement Act, brought forward by the member for Renfrew-Nipissing-Pembroke.

First of all, I'd like to take this opportunity to congratulate the member for his hard work in this House since his election in 2003. His arrival here just over two years ago, along with the member for Haliburton-Victoria-Brock, created a spark in our caucus at a time when it was needed. The enthusiasm and dedication of both of these members in their new roles has had an energizing effect on our caucus.

It's a pleasure for me to speak in support of Bill 3 this morning because I've been an advocate for fair gas tax funding for all our municipalities for a long time. In fact, I spoke about this issue during members' statements on October 13, 2004, and worked with our municipal affairs critic of the day, the member for Erie-Lincoln, to advocate for a solution to the inequity experienced by rural municipalities. Our caucus has certainly done much work on this topic, and I congratulate the member from Renfrew-Nipissing-Pembroke for bringing the issue forward once again today, as a private member's bill this time.

I'd like to just highlight again the importance of private members' business in this Legislature. It's an opportunity for all members to raise awareness on particular issues that the government might otherwise want to ignore, and offer solutions to problems around our province. It's also a time for members to challenge the government to take action on a wide range of concerns facing Ontarians.

Bill 3 addresses an issue which I know is of vital importance to rural communities all across this province: the lack of provincial gas tax money being invested in rural municipalities, those without municipal transit systems.

As members of this House are aware, the McGuinty Liberal government announced in October 2004 that it planned on investing more than \$680 million of the provincial gas tax into transit systems across Ontario. This money would be directed to 78 transit systems in 105 municipalities. The problem is that there are 445 municipalities in this province, meaning that 340 municipalities will not see a single penny from the gas tax, despite the fact that all Ontarians pay this tax every time they fill up at the pumps.

The government's plan has completely ignored the transportation needs of rural Ontario. It is interesting to

note, however, that the federal government, as has been pointed out, does not discriminate between municipalities, large and small, with their gas tax plan. In fact, the federal government distributes their gas tax funding to each municipality, bypassing the provincial government entirely, by working with the Association of Municipalities of Ontario, and they base it on population. I'm told that, in my riding, for example, Wellington county is in line to receive more than \$6.5 million from the federal gas tax over the next five years, Centre Wellington expects to receive about \$2 million, and Minto township is counting on receiving over \$600,000 by the year 2010.

How is it possible that the McGuinty Liberal government can ignore municipalities like these while their federal counterparts are distributing their gas tax in a fair and equitable way? How does the provincial government continue to sustain that sort of discriminatory position?

The vast majority of my riding is not serviced by a public transit system. This is true of dozens of ridings across rural Ontario. Because of this, almost everyone needs a car to get around, since public transit is simply not an option. I would submit that because of this reality, rural Ontario residents probably pay more gas tax per capita than urban residents do.

Consider this: The provincial gas tax is 14.7 cents a litre. If the average motorist fills up a 50-litre tank of gas once a week, this totals almost \$400 per year in gas tax payments. If this person lives in rural Ontario, they are not seeing one single penny of this gas tax invested back into their community. There are a great number of transportation needs in my riding that I continue to advocate for through the Waterloo-Wellington Transportation Action Plan.

I call upon this government to pass Bill 3.

I want to leave some time for my colleague the member for Parry Sound-Muskoka.

Mr. Norm Miller (Parry Sound-Muskoka): I'm glad to have a minute to add my support to the member from Renfrew-Nipissing-Pembroke for his Bill 3, which would see some of the gas tax go to all municipalities, not just those with transit, as has been put forward by this government.

In the riding of Parry Sound-Muskoka, there are some 26 municipalities, and only one—that being Huntsville—is getting its share of the gas tax. I ask, how is that fair? For rural areas, public transit is roads and bridges. For a very small municipality—I have some that have only 500 people—building a new bridge is a huge challenge. I would say that it's only fair that they get a share of this tax.

I have other things I'd like to say but only 17 seconds to say them in, so I would just like to reiterate that I do support Mr. Yakabuski and this Bill 3, and I look forward to other members supporting it as well.

The Acting Speaker: The member from Renfrew-Nipissing-Pembroke has two minutes to reply.

Mr. Yakabuski: I want to thank the members from Timmins-James Bay, Ottawa-Orléans, Simcoe-Grey, Thornhill, Haliburton-Victoria-Brock, Oakville,

Waterloo-Wellington and Parry Sound-Muskoka for speaking to my bill this morning.

I want to address the fundamental issue we have here, and that is sustainable, reliable funding for rural Ontario municipalities like my county, Renfrew county. I do appreciate Warden Bob Sweet's joining me here today for this debate.

I want to speak a little bit to the positions taken by the government members. This is not about a battle between rural transportation funding and public transportation funding in urban municipalities. There are significant subsidies and government support for those entities in places like the city of Toronto. This gas tax is a small portion of that funding, but this gas tax is an issue of fairness. We are relegating rural people to a second-class status if they don't share in some rebate of that tax, which they pay on every litre of gasoline equally to what every resident and every business and every entity in Toronto or Ottawa or London pays. It is a fundamental issue of fairness, and it must be addressed.

I ask the members opposite, those in rural ridings and those in urban ridings, to ask yourselves: Do your constituents believe in an Ontario that represents fairness or unfairness, where you create second-class citizens in rural Ontario and have a program that only supports a public transportation system in the city of Toronto when it is a specific tax being used to pay for that? I say no. There are other programs that support public transportation and we support that, but this gas tax, which this government, when they were campaigning, purported to be for everyone, should be for everyone equally across this great province.

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LOBBYISTS

Mr. Howard Hampton (Kenora-Rainy River): I move that, in the opinion of this House, former employees of the Premier's office be barred from lobbying any and all ministries and government agencies for a period of one year from the termination of their employment.

The Acting Speaker (Mr. Joseph N. Tascona): Pursuant to stand order 96, the member has 10 minutes for his presentation.

Mr. Hampton: I want to read the resolution again, because it is a very pointed resolution: That, in the opinion of this House, former employees of the Premier's office be barred from lobbying any and all ministries and government agencies for a period of one year from the termination of their employment.

Let me give a brief history of why this resolution is needed. Currently, it is the case—it might seem absurd to Ontarians—that someone can work in the Premier's office, can have cabinet ministers and cabinet ministers' staff reporting to them, can have deputy ministers and assistant deputy ministers reporting to them on certain issues, and, under the rules as they now stand, they can leave the Premier's office one day and the next day go to

work for a private company that is lobbying the government for a contract or for some special deal. They can go around and lobby the very cabinet ministers, cabinet ministers' staff, deputy ministers and assistant deputy ministers that, the day before, were reporting to them. Those are the rules as they now stand under the McGuinty government. I think anyone who thinks about this would say, "That's terrible. That shouldn't happen."

You should not have a situation where someone can work as a right-hand adviser or left-hand adviser to the Premier, be privy to all this information, be privy to all the knowledge and all the nuances, leave the Premier's office on Thursday and go to work as a paid lobbyist for the very companies who have been trying to get access to cabinet ministers and access to assistant deputy ministers and deputy ministers and access to people in the Premier's office. They can go to work the very next day and then be lobbying those deputy ministers who used to report to them, be lobbying those cabinet ministers and cabinet ministers' staff, people who used to report to him or her.

I want to say that there are a number of people who support me in my resolution. One of them is the now Minister of Natural Resources, David Ramsay. This is what he has said about clamping down on lobbyists and how important it is: "One of the big problems we've seen with this government is assistants to ministers and assistants to the Premier who have worked on a first-hand basis on different briefs, different cases, different issues with the private sector. All of a sudden you find an announcement and they're gone to the very company they were advising from the government standpoint, and now they're working for that company. I think that should be absolutely outlawed." That was David Ramsay; that's his view.

I want to quote someone else who I think supports my position. This would be Dalton McGuinty: "Senior staffers are privy to highly sensitive and confidential information. They not only know what you're going to do tomorrow, but they know what you're going to do next week and in many cases they know what the government is going to do next month and even what it's going to do a year away.

"That information can be exceptionally valuable to people who want to do business with the government."

Then Dalton McGuinty then finished with this question: "Do you not feel that there is a very serious problem here and that there ought to be some restriction placed on senior political staffers who were formerly employed through your office?"—meaning the Premier's office.

I want to quote another authority. The former Conservative government wrestled with this issue. They brought in a bill called Bill 69, which said that you couldn't go back and lobby the office that you worked in but you could lobby all the other offices. I want to quote Mike Colle, now a member of cabinet, who was very critical of this. He said, "This bill will do nothing to control what the lobbyists do. There's not one lobbyist in this province who's shaking in their boots, I'll tell you.

They've probably got a big smile on their face as they smoke their big, fat cigar and eat their blue steak in the bottom of some fancy restaurant down here in Toronto. They're smiling at this. You haven't heard one complaint from a lobbyist about Bill 69, because Bill 69 is essentially a piece of cake for the lobbyists. It should be called the Lobbyists Protection Act. It is meek. It is meaningless. It does nothing. It's not only too late; it's much too little." So said Mike Colle.

I want to turn the clock forward to the situation we face today. The situation we face today is this: The McGuinty government has come forward and said that it would be in favour of spending at least \$40 billion on expensive, unreliable nuclear power. If history is any guide in the province of Ontario, a cautious person would say that this will double; it will likely be \$80 billion. What does that mean for the average family? Well, if it's only \$40 billion—I say "only"—that would be \$13,000 that every family in Ontario would pay for these nuclear power plants. If history is a guide here and it's \$80 billion, it means \$26,000 out of the pocket of every family for Premier McGuinty's nuclear fantasy.

What's going on here behind the scenes is this: The former right-hand advisers of the Premier, who worked in the Premier's office, who had access to all this information, who were privy to all the knowledge, guess what they're doing now. They're working as paid lobbyists for the nuclear companies who want these \$40-billion contracts. They have all this inside information. They know all the nuances. The Minister of Energy used to report to them; the Minister of the Environment used to report to them; the deputy ministers used to report to them; the assistant deputy ministers used to report to them; the Minister of Finance used to report to them. Now these right- and left-hand advisers of Dalton McGuinty are acting as paid lobbyists, going to the very cabinet ministers, the very deputy ministers and assistant deputy ministers on a daily basis and lobbying them. I think this is terribly, terribly unsightly. Just think about it. The two people who were right-hand advisers to Dalton McGuinty over the last two years left their work as the Premier's advisers and now are paid lobbyists for nuclear companies, and they go around and they lobby the very cabinet ministers who used to report to them.

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I want to read the Premier's words again:

"Senior staffers are privy to highly sensitive and confidential information. They not only know what you're going to do tomorrow, but they know what you're going to do next week and in many cases they know what the government is going to do next month and even what it's going to do a year away.

"That information can be exceptionally valuable to people who want to do business with the government.

"Do you not feel that there is a very serious problem here and that there ought to be some restriction placed on senior political staffers who were formerly employed through your office?"

Let me say that I heartily agree with what Dalton McGuinty used to say. His senior staffers have all kinds

of inside knowledge of the nuances of energy policy, of what the government may be looking at, what the government may favour, or what the government may want to do. It is terribly inappropriate that the people who worked as the principal advisers to the Premier, who have all of this inside information, are now paid lobbyists for companies that are seeking this \$40-billion expenditure. It is completely inappropriate that they be allowed to lobby the cabinet ministers who used to report to them, the deputy ministers who used to report to them and the other senior ministry officials who used to report to them. So that is the reason for this resolution. I'm calling Dalton McGuinty, David Ramsay, Mike Colle and all the other Liberals who said that this is inappropriate and it should not be permitted.

The Acting Speaker: The Chair recognizes the member for Peterborough.

Mr. Gilles Bisson (Timmins–James Bay): I don't want you reading a speech.

Mr. Jeff Leal (Peterborough): I'm not reading a speech.

Mr. Bisson: Don't let the Premier tell you what to say. Say what you really feel.

Mr. Leal: I certainly will. It's an opportunity for me to reflect on the member from Kenora–Rainy River's resolution this morning.

I first came to this place in 1985. I had the opportunity to be on the staff of the late John Eakins, who was the member from Victoria–Haliburton from 1975 to 1990 and had two cabinet positions in the Peterson government. He was Minister of Tourism and Recreation and Minister of Municipal Affairs during the five years of the Peterson administration. He was also my political mentor. He chatted to me about the need to have the highest ethical standards in public life, and he indeed exhibited those standards as a councillor in the city of Lindsay, the mayor of the city of Lindsay and then the member of provincial Parliament for some 15 years prior to his retirement in 1990. In fact, his integrity as a minister was duly recognized by the Premier of the day, Mr. Rae, who appointed Mr. Eakins to sit on the Ontario Place board for a period of time during his administration.

What has transpired over the last 20 years is interesting. I don't want to dwell on what may or may not have been said by others who were here prior to 2003, but my time here is since 2003. It's interesting to see that there's now almost a reverse onus taking effect—the member from York North very ably touched upon this the other day—that we're now assuming the very worst in everybody; that people indeed are guilty. We go about and we question integrity almost constantly, and if you reflect back some 20 years ago—we used to have great debates. I used to sit in that gallery right there. It was an opportunity to watch debates about principle, about concepts, about ideas, and I thought that was appropriate for this chamber.

All parties over the last 20 years I think have been somewhat guilty of this, particularly during question period, when we stand up and question the integrity of

individuals. It's interesting. I've learned that we have full immunity, I believe, when we stand up in this place. Others make suggestions here during debate, but they're reluctant to step outside this chamber to make the same kinds of statements.

We do in fact have some protections in place—I have respect for the leader of the third party, the member for Kenora–Rainy River—that guard the possible impact of lobbying. The Honourable Lloyd Houlden is the current Conflict of Interest Commissioner within the Ontario Public Service Act, as so defined, and this deals with both former cabinet ministers and people who serve on staff. The COI Commissioner is the designated official for conflict-of-interest matters involving staff in the Premier's office or in a minister's office. Regulation 435/97 of the Public Service Act deals with conflict of interest, and the MBC Conflict of Interest and Post-Service Directive extends conflict of interest to post-service situations. The role of the COI Commissioner is to review and investigate conflict-of-interest matters, make rulings, provide advice and set terms and conditions on any post-service restrictions.

It's interesting. We put these protections in place. A short time ago, there was an issue in this place regarding the issuing and procurement of an advertising contract. Even when we put protections in place, we question when some people of impeccable integrity come forward who have these positions within the Ontario government and provide statements that things were completed in a very ethical and straightforward manner. We all stand up and say, "Well, that can't be believed either." I think that's becoming most unfortunate in this area.

We spent some time this morning dwelling on what might or might not be in terms of the OPA report as we move forward. I want to comment on the conclusions of that report. It says:

"The advice in this report is intended to set Ontario on a course to:

"Maximize conservation and build on its potential in the future;

"Pursue an aggressive course for renewables within current constraints, while looking at ways to reduce these constraints;

"Adopt a 'smart gas' strategy that takes advantage of the benefits of natural-gas-fired generation but limits exposure to its price and supply risks; and

"Benefit from supply options that need long lead times, such as nuclear, large-scale wind generation, hydro imports and gasification."

It would be a distortion of the OPA report to say that the plan puts all the emphasis on one particular side of the energy equation. There will be a discussion over the next number of months. There will be people involved who will be chatting about this and what sort of options might take place, but to me this emphasis on questioning people's integrity and character, what they may and may not do—I don't want to spend time dwelling on the past. I'm sure that if I went to the member for St. Catharines—he probably has 15 books in his desk over there that I could dig out and dwell on the past.

I happen to think there are provisions in place that provide protection. The standards of the day—we all have to make decisions in this place. We all have to conduct ourselves in an appropriate manner. I happen to be one who believes that in most cases people exhibit ethical standards to the highest degree in doing their tasks. There are a lot of examples.

I could go back to the mid-1950s when Mr. Frost was Premier. There was the famous scandal here in the Ontario government. It was the NONG scandal, the Northern Ontario Natural Gas pipeline issue. That was part of the great pipeline debate that was going on across Canada at the time of the extension of the TransCanada Pipeline from western Canada through Ontario.

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Mr. Frost, who set the standard of the day—there was a question of whether some insiders were actually providing tips on buying stock in the company that was to construct that portion of the gas pipeline through northern Ontario. In his day, he exhibited the highest standards possible, and certainly removed at least three cabinet ministers at that time who looked like they had a conflict of interest in dealing with that.

During my short two and a half years here, I have observed people on all sides who I believe have exhibited the highest ethical standards and certainly conduct themselves in an appropriate manner. It seems to me that from time to time the debate in this House is getting away from an opportunity to talk about principles and policy into what I call this reverse onus, spending a lot of time questioning character. Even when it's proven, through various officers of this Legislature, and they provide the evidence that shows that correct procedures have been followed, whether it's in procuring advertising contracts or others, we still keep questioning that. Why do we take the time through rigorous debate to put these structures in place, to report back to the 103 members here, to provide observations and data in support that say things are done in a clearly transparent manner, and we keep questioning that?

In terms of a number of things, we're building on activities that previous governments have begun. We brought forward a transparency act, to increase the view that we as members and the outside public have on activities of the Ontario government. I think we've brought transparency. It really goes back to the mid-1980s in terms of how we allocate advertising contracts here in Ontario, creating arm's-length agencies that look at procurements to make sure they're done in an appropriate manner. One of the things we have done is ban partisan advertising, which I think by and large is an appropriate thing to do, and I think we've gone a long way. Justice Coulter Osborne, the Integrity Commissioner, who reviews the activities of members in this province, certainly has gone a long way, I believe, to reassure the public of activities that we're involved in each and every day.

This could be a better place. I appreciate the comments of Mr. Tory, the leader of the Conservative Party, when he came here to perhaps enhance the quality of

debate and the direction we're going in. I think there are sufficient protections in place to make sure that the interests of Ontarians are protected.

The Acting Speaker: I'd ask the members to welcome Len Wood, MPP for Cochrane North in the 35th and 36th Parliaments. Welcome.

The Chair recognizes the member for Kitchener-Waterloo.

Mrs. Elizabeth Witmer (Kitchener-Waterloo): I'm pleased to briefly join the debate and discussion this morning on Mr. Hampton's resolution, "That, in the opinion of this House, former employees of the Premier's office be barred from lobbying any and all ministries and government agencies for a period of one year from the termination of their employment."

I think we would all agree that it is important that people behave appropriately, that there is not perceived to be any conflict of interest at any time because people have the opportunity, based on their former employment, to have access to information and be able to accomplish things that other people cannot.

I just want to speak briefly this morning about the fact that when we were in government, we recognized the importance of having in place some very strong government-wide conflict-of-interest rules. We did introduce those rules in 1997, and they were entitled the Conflict of Interest and Post-Service Directive, by Management Board Secretariat.

At that time, a conflict of interest was determined to be "any situation where an individual's private interests may be incompatible or in conflict with their public service responsibilities." This focused largely on the public service, but certainly we can extrapolate, and we can ensure that all people who have worked in former offices are in a similar position where they are not in conflict.

The purpose of that post-service directive at that time was to enhance public confidence in the integrity of public servants and the decision-making process in government by setting some clear rules of conduct for conflict of interest in post-service practices that would apply to all public servants. We were also trying to reduce the possibility of conflict between the private interests and the public service duties of public servants. We were trying to provide a means to resolve such conflicts in the public interest.

That particular directive applied to "senior public servants," including:

"(i) the secretary of cabinet

"(ii) deputy ministers

"(iii) senior staff in the Premier's office and ministers' offices

"(iv) public servants (except for clerical and secretarial staff)

"(v) the senior management group

"(vi) any other individuals designated under part 3 to whom the post-service employment restriction will apply."

It is important to recognize that our government did recognize the importance of putting in place this conflict-of-interest and post-service directive for public servants,

in the best interests of all of the people in the province of Ontario.

It went on. Really, the bill was all about ensuring that “the government of Ontario maintains a legal interest in the post-service activities of former public servants. As such, public servants shall not, after leaving employment of the crown, take improper advantage of their past offices.” For example, they shall not do the following:

“(a) allow prospects of outside employment to create a real or potential conflict of interest while in public service with the crown;

“(b) seek preferential treatment or privileged access to government after leaving public service with the crown;

“(c) take personal advantage of information obtained through official duties and responsibilities that is not available to the public;

“(d) use public office to unfair advantage in gaining opportunities for outside employment.” Certainly, this did move activity forward.

Part 3 of the document was specifically dedicated to looking at the mandatory requirements for post-service restrictions for senior public servants. It said, “For 12 months after leaving the service of the crown, a former senior public servant is restricted from lobbying for or on behalf of any person, entity or organization, to any ministry or organization with the crown with which the individual worked in the 12 months prior to leaving the service of the crown.

“Where a former senior public servant lobbies the crown on behalf of an organization in contravention of the requirements of this section, the crown reserves the right not to do business with that organization with respect to that particular issue or transaction.”

I think what's extremely important here—and I'll conclude—is simply that, given this government's commitment to transparency, accountability and democratic renewal, the Premier and this government, who talk about transparency and accountability, should at all times hold all staff to the highest standards of integrity.

Mr. Bisson: I am so happy to be part of this debate, because it gives us a chance to talk about the Liberal way. We are in a federal election right now, and everybody will know that one of the key issues federally in regard to the election that will play out on January 23 is the largesse that Liberals like to show to their friends when it comes to things that have happened over the years, when it comes to favours that Liberals do for each other when they're in government, for their friends in the private sector, and their friends generally.

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We would know right now, for example, that this whole issue around the Gomery inquiry has been pretty categorical in saying that the Liberal government in Ottawa did a whole bunch of things that, quite frankly, were not very moral and, I would argue, not even legal, when it comes to helping their friends along: little brown envelopes with thousands of dollars in them given to people at suppers; contracts being given out to their friends in order to get contributions back to the political

party—all kinds of stuff like that. I've just got to say, you know, it's the Liberal way. It's the way it is.

We have this thing: We politicians talk among the parties. I don't like what the Conservatives do, but I know where they're coming from. They have a principle. I don't agree with it, but they stake themselves out on the right of the political spectrum. I would argue that the Conservatives don't agree with us New Democrats, and we stake ourselves on the left of the political spectrum. Liberals will just do what has to be done to get elected. It's not about ideas. It's not about anything other than, “How do I get power? If I have to be a left-winger today and a right-winger tomorrow and, in between, switch three times and do whatever, so be it.” It's all about power, because once you're in power, you can help your friends.

We have, for example, Mr. Lopinski, who was the director of issues within the Premier's office—in fact, was one of the key advisers to the Premier on a whole bunch of issues having to do with what happens here in the Legislature and what happens generally within the government. Lo and behold, after gaining inside knowledge about what happens in this place and what the policies of the government are, all of a sudden he ends up as a paid lobbyist for Bruce. Now, surprise, surprise, Bruce gets a \$6.5-billion deal by the provincial government to refurbish Bruce—as Howard would call it, the fixer-upper at Bruce—where they're going to refit a number of generators at the Bruce nuclear station.

It's just interesting that the government doesn't seem to see this as a problem. It's OK for inside staffers—good, loyal Liberal partisans—to come into government, to be in key positions, gather information, know what the government direction is, and then all of a sudden it's OK for them to leave and become paid lobbyists for whom-ever to try to influence the government in doing whatever. In this particular case, Mr. Lopinski, who was a key adviser to the Premier—I think “director of issues” was his actual title—ends up going from the Premier's office in the know, knows what's going on in the nuclear file, and all of a sudden gets big bucks working for—I think it was Hill and Knowlton where he ended up, and at Hill and Knowlton getting big bucks to help their customer, Bruce Power, to lobby the government to get dollars. And all of a sudden it happens.

What I find really remarkable—well, I don't find it remarkable. I find it—I can't say it because it would be unparliamentary, and I don't want to be unparliamentary. You know me; I'm a great one for making sure I keep the decorum of this House when it comes to what I say. But what I find interesting is that in opposition, when the Tories were there and they passed their legislation on lobbyist registration, the Liberals were jumping up all over the place saying, “Oh, my God, it's terrible. You've got to stop this.” You had Michael Colle—I remember him standing up in the House: “Oh, my God, you can't allow this to happen. Insiders have inside information and they're going to profit.”

Dalton McGuinty was up in the House asking questions to both Premier Harris and eventually Premier Eves.

Most of the ministers who are in cabinet now were in the opposition and really decried the Conservatives when it came to what they did on lobbyist registration, saying it didn't go far enough. They were really upset. I think the only thing they were upset about was that they couldn't get into power themselves at the time and help their friends. Now that they're there, oops, "It's OK. No, no, we don't need that kind of legislation. We have to trust these people because they'll do all the right things."

At the end of the day, I say no wonder voters are cynical. We're seeing this pattern develop in Canada over the years and, I would argue, in most of the democratic world, where more and more voters are disconnecting from politics and politicians because they look at this kind of stuff and say, "Oh, my God, look at that. There they go again. Oh, well, what do you expect? Gomery? All right, they passed an envelope of thousands of dollars; more Liberal friends got payoffs. It's more of the same." They say, "I'm going to stay home, and I'm not going to vote."

I'm saying, at the end of the day, the very people who could make the difference in sending a message to politicians not to do this are the very people who stay home and don't vote. This serves the interest, I would argue, of the Liberal Party of Canada and the Liberal Party of Ontario. They like it when you have low voter turnout, because the people who show up are those who are partisan, people like you and I who are engaged in the political process, who live and breathe this, or at least are mildly interested. Those are the people who go and vote. So it's no wonder we keep perpetuating the same problem, when the very voters who can make a difference and say, "Stop this kind of stuff. We don't like what happened with Gomery. We don't like that the Liberals did what they did with taxpayers' dollars, paying off their friends. We don't like the idea of insiders of the Liberal Party who are staffers to the government going out and working for the private sector and costing the taxpayers a lot of money on the other end"—the only way to stop that is for voters to say, "Enough is enough. I'm not just going to stay home and say 'I'm mad and I'm not going because all politicians are the same.'"

Go to the ballot box and vote for the party or the candidate that you think is going to make a difference and not do that. Send a message, at the very least. Can you imagine if, at the January 23 election, all the people who are dissatisfied with government, who say, "All politicians are the same. They're on the payoff. They're not looking out for my interests," would get up one day—almost 50% of entitled voters in this country, because we're down to about a 50% turnout—and say, "I'm going to go and vote for one of the parties in opposition to the Liberals in order to make sure that I send a message"?

I would argue, vote for Jack Layton; vote for the NDP. Vote for Carol Hughes up in Kapuskasing. Vote for Charlie Angus in Timmins-James Bay. I think that would be a good message to send, because it would mean that the Liberals would have to take the public seriously for a change—the Liberal government in Ottawa, which thinks

that it's their God-inherent right to be government. Imagine, Canada would have a government other than a Liberal government. My God, they should just have a constitutional change so they're always the government. Imagine if you sent that message. All of a sudden, every party would have to take voters seriously because the message sent by Canadians would be, "Hey, you can't get away with this stuff."

I think it's rather sad. When governments like the Dalton McGuinty government do what they've done, allowing political insiders to go and work as lobbyists, lobbying the very government they worked for for money, where they know what the inside scoop is, it really sends a terrible, terrible message. I just say that, at some point, voters have got to stop this "I'm not going to go out and vote" thing and get out and vote and make a difference. At the end of the day, it would make a difference.

The other thing I want to touch on very quickly has to do partly with David MacNaughton, who was the former principal secretary to Dalton McGuinty and who now works in the nuclear industry. I think he's involved with the Candu reactor. It gives me a chance to say something that has not been said by many people, but I think it needs to be said: This government is going down the road of developing new nuclear power generation in Ontario, even though we know that, every time we've gone down this road, it has cost the taxpayers up to three times as much money as what the estimates said. If you remember Darlington, by the end of the day it was three times higher in cost than it was supposed to be in the very first place. Now we're going to say that \$40 billion worth of generation could end up costing taxpayers up to \$120 billion.

Aside from all the other issues, there's one thing I want to put on the record. This government is saying, "We're not necessarily going to go to Candu reactors." Not that I'm a big fan of nuclear power, but hang on a second, you guys. You'd better understand what you're saying. I know a little bit about this. I'm an electrician by trade, and a technologist as well. There are a couple of things that you've got to take into consideration: Candu technology is one of the only technologies with which you cannot produce weapons-grade plutonium. Did you know that? If you buy a French reactor or an American reactor, you can take the spent plutonium and make weapons-grade plutonium with the residual waste of those reactors. Candu is one of the only technologies that doesn't allow that to happen because of the technology we developed. Canada believed that we had to design nuclear reactors in such a way that people would not use the spent fuel in order to make weapons of mass destruction, as George Bush likes to call them. So do we as a province, if we ever went down this road—and I'm not in favour of going there—really want to say that we're going to a French-style reactor or an American-style reactor whose spent fuel can be used to make nuclear weapons? I don't believe for a second that Canada or Ontario is in the business of making nuclear bombs, but my point is that we should not be supporting that kind of

technology. The second thing is, I want to say very clearly for the record, that I am not in favour of this government going down a nuclear path.

Here's the other issue, and this is how dumb this is: There are currently within the Ontario hydro system technicians, engineers and specialists who understand our current technology used in nuclear reactors, the Candu. If you suddenly go out and say, as Premier Dalton McGuinty has, "Oh, well, we're open to anything. We'll buy a French reactor. We'll buy an American reactor. God, we'll even buy a Russian reactor"—remember Chernobyl?

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My point is that the technology to keep those reactors going has a whole infrastructure behind it. If you bring in a new technology, you have to hire people from outside of Canada who know something about that form of technology and how it works and how the machinery works. So you will end up with a more expensive infrastructure because you will not be able to use the one we have here now, which is the Candu infrastructure, as far as technology goes. You will have to import all kinds of people to do the training and support that are necessary to support the new technology, whatever it might be: French, Russian, American or whatever. I'm saying to the government, you're wrong to go down the nuclear path in the first place, but you're even more stupid to go down the road of saying, "We're open to any kind of technology," on the principles that I've mentioned: (1) You don't want to build a second infrastructure to support a technology that we don't currently support in Ontario, because we support Candu; and (2) does Ontario really want to send the message that we're for buying reactors whose spent fuel you could use to make bombs? I think it's a pretty dumb thing.

The government would be best served to follow the advice that Howard Hampton has put forward, that we need to do a number of things. There's not one answer for the energy crunch that we're in. We have to deal with the whole issue of energy efficiencies. There's all kinds of stuff we can do around insulating buildings and utilizing energy that would really go a long way to lowering the crunch.

We have to deal with the issue of other generation. There are all kinds of different technologies we can use that are a lot safer.

There's a whole issue of run-of-the-river generation that my good friend Len Wood, who's here today, would know very well. It's been used very successfully in his old riding of Cochrane, now Timmins—James Bay. There is minimal impact on the environment, it is very reliable, it works, it is there for a long time and it is able to go into the base or peak load, depending what river you're into.

The issue of wind generation could be used. We have to look at how we can subsidize the construction of wind generation and develop the capacity, as a province, to build that particular technology here in Ontario. I look at James Bay—Len Wood would know well—at the communities of Peawanuck and others that have to generate

electricity by diesel. What a dumb way to do it. If Ontario were in the position of saying, "We will assist those First Nations who use diesel generation for electricity to build windmills to augment their capacity to lower their reliance on diesel," that would go a long way. Peawanuck, Attawapiskat, Martin Falls and other communities would be absolutely ecstatic. Imagine our old friend Eli Moonias—do you remember Eli, Len?—Chief of Martin Falls, I think the longest-serving chief in NAN territory, has been on that for a long time. He says, "I'm tired of paying." They're paying over 25 cents per kilowatt of electricity in Martin Falls. Certainly you can put wind generation in that community for less than that. There are things that the government can do.

Back to the point of this motion: I think the government should do and say what it did in opposition. In opposition they said, "We need tough legislation that will stop, at the end of the day, the influence of political insiders going off to work in the private sector as lobbyists." There should be legislation that says there's a cooling-off period of at least a year or two so that people have some distance between themselves and a knowledge of what goes on in government before they come back, because the temptation is there. If you're in the nuclear industry or whatever industry and you're looking for a paid lobbyist and, "If I talk to the principal secretary to the Premier and offer him or her enough money, they're going to work for me a day after they leave the Premier's office," you've got a pretty good in. They know all the political staffers and they've got all the connections. They have the personal connection with the Premier, with cabinet ministers, with backbenchers and others. I think it's a temptation that you have to remove. Dalton McGuinty was right to ask, when in opposition, that the government do that. Now that he's government, he says, "Oh, well. I don't know. We have to trust these people."

I just say, shame on Dalton McGuinty. He should do what he said he was going to do in opposition. This is an example of another broken Liberal promise.

Mr. Frank Klees (Oak Ridges): I'm pleased to rise in support of this resolution. I want to say at the outset that I will be supporting it. I would like to bring to the attention of the Legislature, as well as the public, further to the comments by my colleague for Kitchener—Waterloo, that the previous government did introduce legislation to this House that dealt with issues of conflict of interest. I have here a copy of the directive issued by the Management Board Secretariat that deals with the Conflict of Interest and Post-Service Directive. While, as the member for Kitchener—Waterloo indicated, this is primarily related to members of the public service, it does, in fact, capture precisely the issue that Mr. Hampton is addressing in his resolution.

The member for Kitchener—Waterloo read the definition of "conflict," and she also referred to section 3 of this directive, which deals specifically with post-service responsibilities. What she didn't do and what I'd like to add to the record is that there is an appendix A attached to this directive. Appendix A makes very specific reference to the additional members of the staff,

and it deals with those individuals who are, and have been, employed by the Ontario SuperBuild Corp. It goes on to refer to appendix B, which is part of this directive. Appendix B deals with positions that may be involved in one or more privatization matters. We wanted, as a government, to capture all of that.

Here is the issue that I believe Mr. Hampton is attempting to capture in his resolution, and it's appendix C of the directive. It refers to "Senior positions in the Office of the Premier and ministers' offices (or positions of equivalent responsibility) that are designated as being subject to the post-service restrictions as detailed in Part 3." It very clearly lists:

"a. In the Office of the Premier:

"(i) chief of staff;

"(ii) principal secretary;

"(iii) department heads and staff equivalent to department heads;

"(iv) staff in the policy department, except administrative staff."

Under section B of this appendix it refers to ministers' offices and speaks about executive assistants; and special assistants:

"—legislative assistants;

"—press secretary/communications assistant;

"—policy advisers.

"(iii) any other person employed in a minister's office in a senior position whose duties routinely involve advising the minister or any other official or employee of the crown."

I'm not sure if it's a matter of the leader of the third party not having done his research to determine that, in fact, all of the employees to whom he was referring in his debate are already caught under the responsibilities and the requirements of this directive, so this isn't a matter of requiring additional legislation. It's not a matter of calling on the government to implement some new statute or issue new directives; really what it is about is calling on this government to simply enforce a directive that is in black and white today, which very clearly states that individuals who are employed in the Premier's office in any of these capacities are restricted from taking on the kind of lobbying assignments or employment or be engaged in any of those activities to which the leader of the third party referred.

What we have here is an example of a government that simply is refusing to enforce the directive that's already in place. I join with the leader of the third party. I will certainly vote in favour of this resolution because it reaffirms this 12-month period of time that's already contained in the guidelines that, surely, the government would want to comply with. I call on the Premier, I call on this government to simply enforce the guidelines that are in place today and, if they choose not to, to provide an explanation to this House as to why they are not enforcing those requirements.

I appreciate the opportunity to participate in this debate. I can't imagine any member of this House not supporting the resolution. But at the end of the day, what is important here is that the Premier enforce the guide-

lines and ensure that the people who have worked for him, or in any minister's office, comply with these regulations that are in place today.

1150

Ms. Jennifer F. Mossop (Stoney Creek): I'm pleased to speak to this resolution. It's interesting, because what I have learned in my role in the media and my role in politics is that there's a big difference between substance and optics. Optics are something quite malleable and open to spin and manipulation, and substance is quite another thing. While this is worded in a fashion of, "Of course, why can't you support something like this?" I'll tell you what I don't support: I don't support the tone of this.

We're our own worst enemies in politics. You wonder why people out there are a little jaded, a little ticked off, and are throwing up their hands and going, "Oh, those guys. Oh, you guys. The whole lot of you." It's because people get up here like monkeys with machine guns and spray misinformation and spray things that malign people and indicate that things are all terribly seamy and awful and everybody is on the take.

Do you know what? My experience here at Queen's Park—I've been here for two years—is that I would say the vast majority of members in this House are here for the right reason. They are here because they believe in something and have become political as a result, and so are the people who are working in the halls and offices throughout this area.

I am actually having my faith in humanity and politics restored. People might find that quite surprising, but it's because I am running into people who work very hard, often just for the sake of issues they believe in, and they are not on the take. That's my experience, from the private sector to here, and I would say, that's in the civil service and on the political side. I am finding good, honest, hard-working people.

The tone of this resolution maligns people. That's the optics of it: "Great. The usual game. You guys, you're terrible. You're dreadful. You're all on the take." So we've just made everybody a little more jaded, a little more cynical out there. That's what we've accomplished with this resolution so far this morning.

Substantively, there are a number of things in place already that deal with this issue, and new ones have been brought in by our government. There are very strict rules governing public servants and post-service activities, and there is a Conflict of Interest Commissioner. There is conflict of interest in vendors' rules and regulations, all contracts having conflict-of-interest clauses. There's an increased level of accountability in government advertising. There is a ban on partisan advertising, which the NDP voted against.

I want to talk quickly about the Advertising Review Board—one second about this. The man who created the Advertising Review Board was the communications director for Bill Davis. But they didn't bring it in. Peterson recognized the intelligence of this man, G. Campbell McDonald. He recognized the non-partisan

nature of what he was trying to do and made him the founding chairman of the ARB. That is an organization that helps and has helped successive governments in here to keep things at arm's length and of a non-partisan nature.

I'm going to leave our last few seconds for my colleague here from ADFA.

Mr. Garfield Dunlop (Simcoe North): I don't have a lot of extra time to speak here today, but I want to say that I will be supporting the resolution by Mr. Hampton. I think the whole area of lobbying governments needs to be—I think we're seeing a stronger growth all the time in this particular area and we're becoming much more Americanized as we go down the path with our political parties and our system here in Ontario. I hate to think of some of the things that have actually happened because of the influence that a minister, a Premier or an organization may have on a particular political party.

I think of June 2004 when the Honourable Sandra Pupatello, the Minister of Community and Social Services, spoke to Community Living Ontario. To a round of applause, she told the organization that she would close down the three remaining regional centres in Ontario, and that was without any consultation whatsoever with parents.

I wanted to put on the record that just this week, on December 12 and 13, in Ottawa, the Superior Court of Justice heard the case and actually put forward a stay for at least 30 days for a future decision by the court. In the meantime, it has cost these families a tremendous amount of money to fight the legal case. On top of that, they've had to battle a team of lawyers from the provincial government. I think it totals approximately 12 people who are up in Ottawa fighting to make sure that we can evict the most vulnerable people in our society from their homes.

I've just got a few seconds left. I want to say a few thank-yous today. First of all, I want to thank and congratulate the pages for a job well done. I think they're a great group of kids. I also want to, on behalf of the Huronia Helpers, the people who represent the parents, families and friends of the clients at the Huronia Regional Centre—I want to thank them for the hard work they've done and for a job well done and wish them all the best in the future. I also want to say that we have with us Randy Panchoo, who is an employee here at Queen's Park, a very friendly guy; you see him around. His mother, Clefida, is here in Canada from Grenada, and I wanted to wish Clefida Panchoo a very Merry Christmas and a Happy New Year. I hope she has really enjoyed her time in Canada.

Thank you very much for this opportunity.

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): I was here even longer ago than my friend from Peterborough: back in 1975-77. Since then, there has evolved a system which has worked very well.

I don't want to support this motion, because I value public service. I don't want to say to people who have

chosen public service, "That was a mistake. You shouldn't have done that because you're going to be penalized." I don't want to say to people, "Your expertise doesn't count because you can't use it, and the skills you've acquired and the knowledge you've gained aren't transferable." That's not fair, that's not just and that's not the way we do things in a country like Canada, where we have a Charter of Rights and Freedoms.

The Acting Speaker: The time provided for private members' public business has expired.

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT AMENDMENT ACT (ASSISTANCE TO MUNICIPALITIES), 2005

LOI DE 2005 MODIFIANT LA LOI SUR L'AMÉNAGEMENT DES VOIES PUBLIQUES ET DES TRANSPORTS EN COMMUN (AIDE AUX MUNICIPALITÉS)

The Acting Speaker (Mr. Joseph N. Tascona): We will deal first with ballot item number 15, standing in the name of Mr. Yakabuski. The member has moved second reading of Bill 3, An Act to amend the Public Transportation and Highway Improvement Act with respect to the assistance that the Minister provides to municipalities. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell, which we'll do after we deal with the next question.

LOBBYISTS

The Acting Speaker (Mr. Joseph N. Tascona): Mr. Hampton has moved private member's resolution number 9. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1200 to 1205.

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT AMENDMENT ACT (ASSISTANCE TO MUNICIPALITIES), 2005

LOI DE 2005 MODIFIANT LA LOI SUR L'AMÉNAGEMENT DES VOIES PUBLIQUES ET DES TRANSPORTS EN COMMUN (AIDE AUX MUNICIPALITÉS)

The Acting Speaker (Mr. Joseph N. Tascona): Mr. Yakabuski has moved second reading of Bill 3.

All those in favour of the motion will please rise.

Ayes

Arnott, Ted
Barrett, Toby
Bisson, Gilles
Brownell, Jim
Dunlop, Garfield
Hampton, Howard
Hoy, Pat
Hudak, Tim
Klees, Frank

Kormos, Peter
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Marchese, Rosario
Martel, Shelley
Mauro, Bill
McMeekin, Ted
Miller, Norm

Ouellette, Jerry J.
Ruprecht, Tony
Scott, Laurie
Van Bommel, Maria
Wilkinson, John
Wilson, Jim
Yakabuski, John

All matters relating to private members' public business having been completed, I do now leave the chair. The House will resume at 1:30 p.m. today.

The House recessed from 1210 to 1330.

MEMBERS' STATEMENTS**DIABETES**

Mrs. Elizabeth Witmer (Kitchener–Waterloo): This morning, I was pleased to attend the Canadian Diabetes Association's Healthy for the Holidays Breakfast, promoting healthy lifestyles to prevent diabetes, here at Queen's Park.

Over 700,000 Ontarians currently live with diabetes, and another 53,000 people in our province are diagnosed with the disease every year. These people face annual costs for medications that are two to three times greater than for those without diabetes. We all know that the costs for those with diabetes and diabetes-related complications are projected to grow 78% by 2016.

Earlier this month, the Canadian Diabetes Association released its report for 2005, entitled *The Serious Face of Diabetes in Canada*. According to the report, the single greatest challenge for Canadians living with diabetes is affordability and the access to the diabetes medications, devices and supplies they need to reduce the risk of costly health complications.

They have presented recommendations to the Ministry of Health and Long-Term Care. Two of the recommendations are:

(1) Reduce the waiting times for structured diabetes education and care in the province by improving access; and

(2) Improve access to eye exams and treatment of retinal complications.

Unfortunately, we know that wait times are not decreasing and that optometry services have been delisted. It is important to listen to the recommendations of this report.

CAREFIRST COMMUNITY

Mr. Mario G. Racco (Thornhill): Last Friday, I had the pleasure to attend the Carefirst volunteer recognition night and holiday party. The Carefirst Community is a non-profit social service agency serving upwards of 6,500 clients a year, with the help of over 1,200 active volunteers.

Established in 1976, its membership is primarily made up of senior Chinese Canadians, although their services are available to anyone in need of them. They provide a wide range of services to their clients, including Meals on Wheels and home care as well as social and recreation events in a program to promote active lifestyles, known as the wellness program.

The Acting Speaker: All those opposed to the motion will please rise.

Nays

Arthurs, Wayne
Balkissoon, Bas
Delaney, Bob
Flynn, Kevin Daniel
Kwinter, Monte

Marsales, Judy
McNeely, Phil
Mossop, Jennifer F.
Prue, Michael
Qaadri, Shafiq

Racco, Mario G.
Smitherman, George
Zimmer, David

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 25; the nays are 13.

The Acting Speaker: I declare the motion carried.

Pursuant to standing order 96, the bill is referred to the committee of the whole House.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): The standing committee on justice policy, please.

The Acting Speaker: Shall this bill be referred to the standing committee on justice policy? Agreed.

We will now open the door for 30 seconds.

LOBBYISTS

The Acting Speaker (Mr. Joseph N. Tascona): Mr. Hampton has moved private member's notice of motion number 9.

All those in favour of the motion will please rise.

Ayes

Arnott, Ted
Barrett, Toby
Bisson, Gilles
Dunlop, Garfield
Hampton, Howard
Hudak, Tim

Klees, Frank
Kormos, Peter
Marchese, Rosario
Martel, Shelley
Miller, Norm
Ouellette, Jerry J.

Prue, Michael
Ruprecht, Tony
Scott, Laurie
Wilson, Jim
Yakabuski, John

The Acting Speaker: All those opposed to the motion will please rise.

Nays

Arthurs, Wayne
Balkissoon, Bas
Brownell, Jim
Delaney, Bob
Flynn, Kevin Daniel
Hoy, Pat
Kwinter, Monte
Lalonde, Jean-Marc

Leal, Jeff
Levac, Dave
Marsales, Judy
Mauro, Bill
McMeekin, Ted
McNeely, Phil
Milloy, John
Mossop, Jennifer F.

Qaadri, Shafiq
Racco, Mario G.
Smitherman, George
Van Bommel, Maria
Wilkinson, John
Zimmer, David

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 17; the nays are 22.

The Acting Speaker: I declare the motion lost.

Throughout the evening, the Carefirst Community members entertained us with singing and dancing to Chinese and Canadian music. Many of these people have not been in our country very long, but it was clear that they are very proud to be Canadians and Ontarians. The event brought together 450 people and raised funds for a proposed multi-purpose facility for seniors and youths.

I would like to commend the Carefirst Community and the volunteers for the support and generosity they provide to people across the GTA.

This is a good example of the type of social activity—seniors entertaining themselves, and us—that this House should be much in favour of assisting and promoting. That is the way to go.

BRIAN ADKIN

Mr. Robert W. Runciman (Leeds–Grenville): On January 7, people will gather at the Holiday Inn Select at the Toronto airport to honour Staff Sergeant Brian Adkin on the occasion of his retirement from the OPP.

Brian was a member of the OPP for 32 years and had an outstanding career serving in many locations throughout Ontario. But he is unquestionably best known for his time as president of the Ontario Provincial Police Association. Brian served from 1994 to October 2005 and holds the distinction of being the longest-serving OPPA president.

As Solicitor General and Minister of Public Safety, I had the opportunity of working directly with Brian, and over the course of six years our relationship became one of mutual respect and, ultimately, friendship.

Brian always had the best interests of his members and the improvement of public safety at the forefront of his agenda. We frequently had the same goals in mind, but occasionally disagreed on the way to get there. Fortunately, those disagreements were infrequent, as Brian is a difficult guy to disagree with. At 6'6", he can be very persuasive. In later years, even on those rare occasions when we agreed to disagree, we knew we'd done our best, with the public interest always uppermost, and we could put it behind us with a good cigar and a wee dram of scotch.

On behalf of the Progressive Conservative caucus and our leader, John Tory, I want to extend our congratulations to Brian on an outstanding career and to wish him and his wife, Janet, all the best for the retirement years ahead.

WATER RESOURCES AGREEMENTS

Mr. Phil McNeely (Ottawa–Orléans): I rise in the House today to recognize our government's historic accomplishment this past week. Premier McGuinty and Minister Ramsay, alongside the province of Quebec and eight states that border on the Great Lakes, signed the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement. These agreements include a good-faith commitment between the provinces and eight states,

as well as a binding compact between the states alone. Ontario is already a leader in implementing regulations to protect our water basins. This agreement between provinces and states proves that our government is committed to protecting our environment and considers the health of Ontarians and of all our neighbours to be a top priority.

The agreement signed on Tuesday bans diversions, with strictly regulated exceptions for communities that straddle the Great Lakes–St. Lawrence River basin boundary. The province already regulates water withdrawals and protects natural ecosystems, but these agreements ensure similar protection from all Great Lakes jurisdictions. It will also strengthen water conservation through programs in each state and province involved, as well as establish new environmental standards for regulating water uses across the Great Lakes–St. Lawrence River basin states and provinces. The Great Lakes form part of a delicate eco-system which needs to be protected for the use of future generations. It is important to achieve regional collaboration on this initiative, since it affects 10 different regions in two separate countries. Such co-operation is difficult to negotiate, and I am proud that our government was instrumental in bringing this agreement to fruition.

PREMIER'S ATTENDANCE

Mr. Peter Kormos (Niagara Centre): It is improper and unparliamentary to refer to a member's absence. However, in view of this government's own legislation—An Act to amend the Executive Council Act, Bill 17, by Michael Bryant, the Attorney General of pit bulls and fouled-up appeals—it is necessary to reflect upon the attendance of cabinet ministers. The act, in fact, compels their attendance. I want to announce clearly that Mary Anne Chambers is the undoubted winner of this fanciful lottery, having been here for 97% of question period.

A dismal failure has been the Premier. Although his Web site states that he was here for, oh, 68% of the time, his Web site is Harnicking the people of Ontario. We did the numbers, and he was here for only 63% of the time. I say to the Premier that it's time for him to obey his own law. He knows that there's a monetary penalty imposed by Bill 17 for not being here often enough to work, receiving your full pay. It's time for the Premier to ante up. His absence had better cost him some money, because it's his government that passed this phoney bill. It's time for the Premier to cough up. Put the money on the table. Put the money where your mouth is, Premier.

LOUISE HARRIS

Mr. Frank Klees (Oak Ridges): I rise today to pay tribute to an individual who has served the people of Ontario with distinction in various capacities for 30 years, most of them here at Queen's Park. Louise Harris, during her time at Queen's Park, has worked in both government and opposition, with six party leaders, directly for three MPPs and served as chief of staff in two minis-

tries. She has the distinction of working in one of the first constituency offices in Ontario, starting in 1975.

While special assistant to the Minister of Transportation, the Honourable James Snow, it is little known that Louise was the driving force behind implementing mandatory child car seats in Ontario. In 2002, Louise assumed responsibilities as my chief of staff in the Ministry of Tourism and Recreation, and in 2003 found herself in the same office in which she had started her career in 1975, only this time not as a special assistant but as my chief of staff in the Ministry of Transportation.

1340

In 2003, Louise was honoured by the Ontario PC Party with the Trillium award for the distinction as Campaign Manager of the Year for her outstanding job of getting the member for the riding of Oak Ridges elected for a third time.

I have been privileged to work with Louise Harris throughout my time as an elected member. I and the Ontario PC caucus have had the benefit of her experience and untiring dedication. Above all, Louise will be remembered for her unwavering loyalty.

I ask all members of the House to join me in expressing our appreciation to Louise and to wish her well as she assumes her new responsibilities as the director of advocacy, government relations and communications with the Ontario Bar Association.

Thank you, Louise Harris. Your service and loyalty will not be forgotten. Godspeed.

ALIGHT AT NIGHT

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): The holiday season is almost upon us. It's time for the people of Ontario to enjoy their families, to relax and to appreciate the subtle joys in life. I know that I will be taking my family to Upper Canada Village in my riding of Stormont–Dundas–Charlottenburgh to experience the beauty and tranquility of the Alight at Night festival.

If any of you have thoughts about discovering or re-discovering Upper Canada Village, now is the time. Away from the hustle and bustle of big-city life, Upper Canada Village recreates life in the 1860s village. Located in Morrisburg, it is conveniently accessible via Highway 401.

Far from the lights of metropolitan night, every star is visible. Take your family in a horse-drawn carriage through the serene streets of the village, past historic buildings twinkling with Christmas lights. Breathe in the fresh air laced with the scent from a wood stove, inviting you to the village bakery for freshly baked bread.

Give yourself a special gift this year: Partake in an experience that captures all the best qualities of rural Ontario—its history, its charm and its unique character. While you are in the region, you could even catch a play, such as the classic "Anne" of Anne of Green Gables fame, being performed at the Upper Canada Playhouse in Morrisburg.

I just had the opportunity of walking over to the House, and I met one of Minister Bradley's staff members. She indicated to me that she is heading down to the Alight at Night festival this weekend. That's going to be an exciting time for her.

Whatever your interests this season, you can find something to satisfy them in eastern Ontario. It's "Yours to Discover," as the motto goes. Thank you, and best wishes for the holiday season.

FIREFIGHTERS' MEMORIAL

Mr. John Milloy (Kitchener Centre): I rise this afternoon to recognize the important contribution made by firefighters in our province. Each and every day, these brave men and women risk their lives to protect the safety of others. Most amazingly of all, those who they risk their lives for are usually complete strangers.

On Saturday, November 12, along with hundreds of others from Waterloo region and across the province, I attended an event in my riding to honour those firefighters who have paid the ultimate price. A 13-foot bronze statue sculpted by local artist Timothy P. Schmalz entitled Protecting the Memory was unveiled in a local Kitchener park, along with a new playground that will teach children about fire safety. This statue is in memory of Kitchener's fallen firefighters as well as the 343 New York firefighters who lost their lives on September 11, 2001. In fact, the statue is the first permanent remembrance outside the United States to pay tribute to these courageous men and women.

I wish to congratulate the Kitchener Fallen Firefighters Memorial Committee for their efforts, beginning with its honorary chair, Peter Benninger of Coldwell Banker Peter Benninger Realty, as well as chair Kevin Schmalz, Randy Kalan, Peter McGough, Darcy Metzger and Steve Jones. It was only through their tireless efforts that this dream of a permanent memorial could become a reality.

We are a society in need of heroes, and I thank all those involved for providing us with role models who were prepared to make the ultimate sacrifice.

HOLIDAY MESSAGE

Mr. Brad Duguid (Scarborough Centre): From time to time, we're asked to read things and do a few things in this chamber. I want to tell you, I think this one probably takes the cake, so I'm apologizing in advance for this.

This is a little jingle that was written by a Liberal assistant somewhere in the back offices who I think probably had a little too much time on his hands. Here it goes:

"The Night before Christmas

"Twas the night before Christmas, and all through the land,

"Lots of creatures were stirring; a federal election is at hand!

"The right stockings were hung by the chimney with care,

"Harper hoped that Flaherty and Baird soon would be there.

"John Tory was nestled, snug in his Rosedale bed,

"While visions of the right wing trounced through his head.

"The problem he wrestled caused him much dismay,

"That strong right-wing rump always got in his way.

"Now that Flaherty and Baird made their exit all right,

"John thought he could win the 'Toronto guy' fight.

"But Ontarians know when something's amiss.

"They remember the old days, with scary Mike Harris.

"So Harper be warned, John Tory here too—

"We watch what you say, and we know what you do.

"But enough of this jingle. 'Tis Christmas that nears;

"We should celebrate peace and give thanks for the year.

"I wish all in this House well, as we break for some cheer—

"I just had to remind Santa, John Tory isn't what he appears."

I apologized in advance, and I apologize afterwards—a little bit of levity for the House.

In all seriousness, I want to wish each and every member a very happy holiday and all the best for 2007.

LEGISLATIVE PAGES

The Speaker (Hon. Michael A. Brown): I would like to have members acknowledge the fact that today will be the last day that we are served by this particular group of pages. I know all members would want to join me in congratulating them on their hard work and on their perseverance. I know they would prefer to be here through the holidays, but the members are going home.

Applause.

INTRODUCTION OF BILLS

MOTOR VEHICLE ORIGIN AND COMPONENTS DISCLOSURE ACT, 2005

LOI DE 2005 SUR LA DIVULGATION DE RENSEIGNEMENTS CONCERNANT L'ORIGINE ET LES PIÈCES DE VÉHICULES AUTOMOBILES

Mr. Ouellette moved first reading of the following bill:

Bill 55, An Act to require the disclosure of the country of origin and the components of motor vehicles sold in Ontario / Projet de loi 55, Loi exigeant la divulgation du pays d'origine et de la liste des pièces des véhicules automobiles vendus en Ontario.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may have a brief statement.

Mr. Jerry J. Ouellette (Oshawa): This bill requires advertisers and persons or bodies that sell or offer to sell motor vehicles in Ontario to clearly indicate in the advertising and sales contracts the country in which the vehicle and its constituent components were produced and the portion of the vehicle that each component makes up. This bill is designed to aid and further Made in Ontario products and work to level the playing field in auto sales.

EMERGENCY MANAGEMENT STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA GESTION DES SITUATIONS D'URGENCE

Mr. Kwinter moved first reading of the following bill:

Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997 / Projet de loi 56, Loi modifiant la Loi sur la gestion des situations d'urgence, la Loi de 2000 sur les normes d'emploi et la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The minister may have a brief statement.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I'll make a statement during ministerial statements.

1350

Ms. Andrea Horwath (Hamilton East): Mr. Speaker, I rise to seek unanimous consent for second and third reading of my Bill 45, An Act to amend the Occupational Health and Safety Act to protect workers from harassment in the workplace.

The Speaker: Agreed? I heard a no.

VISITORS

The Speaker (Hon. Michael A. Brown): I would like to bring members' attention to a guest we have in our members' gallery east: the honourable Steve Mahoney, the member for Mississauga West in the 34th and 35th Parliaments.

Mr. Shafiq Qaadri (Etobicoke North): On a point of order, Mr. Speaker: With your indulgence, I'd also like to recognize on behalf of the House the Humberwood Sikh Seniors and the Democratic Sikh Seniors who join us in the gallery here.

Mr. Tim Peterson (Mississauga South): On another profound point of privilege, Mr. Speaker: Everyone knows that in Mississauga South the air is cleaner, the water is purer and the men are stronger. A delegation from Mississauga South is led by Peter Smith, the chairman of GO Transit and a Member of the Order of Canada, and several other distinguished businessmen. If you'll all rise and be acknowledged, it would be appreciated.

The Speaker: Thank you. Welcome.

Motions? The Government House Leader.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I do not have any motions for night sittings this evening.

STATEMENTS BY THE MINISTRY AND RESPONSES

GOVERNMENT'S RECORD

PROGRÈS DU GOUVERNEMENT

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Mr. Speaker, as the temperature dipped below minus 15 this week, I couldn't help but think of your predecessor, who, is at this very moment, struggling to cope with the heat of the Dominican Republic. He will always have our affection but I'm not sure he'll be getting a card from me this year.

I rise, as this House is preparing to adjourn for the holidays, to review the results that we have achieved together in 2005 on behalf of the people of Ontario.

This is the year in which we launched Reaching Higher, a \$6.2-billion investment in higher quality, more accessibility and greater accountability in our universities, colleges and training programs.

In our schools we have established peace and stability. We have started to repair the buildings and we have renewed the spirit of learning in our public schools. We are reducing class sizes in the early grades, improving teacher training and providing extra help for struggling students, and test scores in reading, writing and math are up.

In our high schools we have launched an ambitious plan to increase the graduation rate that would require students to keep learning, whether in a classroom, workplace setting or apprenticeship, at least until age 18, while providing young people with the resources that they need to succeed.

In health care we are tackling wait times by delivering more than 67,000 additional procedures in 2004-05 in five key areas. We've opened a new medical school in the north, launched 69 new family health teams and begun work on new hospitals. We've placed a new emphasis on health promotion and illness prevention with the creation of Ontario's first-ever Ministry of Health Promotion.

This has been the year in which we stood up for Ontario and helped to narrow the \$23-billion gap between what Ontarians contribute to the federal government and what they get back in programs and services.

Bien qu'il reste encore bien du travail à faire, notre campagne pour l'équité, pour un Ontario fort dans un Canada fort, a produit des résultats: de nouvelles possibilités pour les nouveaux arrivants au Canada, pour les travailleurs et travailleuses qui cherchent à se recycler et pour les familles qui sont à la recherche de garderies.

Although there is still work to be done, our campaign for fairness, for a strong Ontario and a strong Canada has

in fact yielded results: the opportunities for newcomers to Canada, for workers seeking retraining and for families seeking daycare.

In fact, Ontario has attracted \$5.5 billion in new investment in the auto sector, including the first new greenfield plant in a decade.

This House has considered historic legislation designed to end mandatory retirement, to treat municipalities with the respect they deserve and to give Toronto the autonomy it needs.

Our economy has created more than 215,000 jobs since October 2003 and we are working to keep Ontario's prosperity growing by modernizing our infrastructure and working to create a reliable supply of clean and affordable energy. And we are creating a culture of research and innovation, marked by the opening of MaRS right across the street this fall.

Hard-working Ontarians have powered an economy that has reduced our projected deficit for 2005-06 to \$2.4 billion, down from the \$5.5-billion deficit our government inherited.

We are always and ever very mindful, as well, of Ontario workers who have lost their jobs, and we pledge ourselves to work with them and their communities to ensure that both can enjoy prosperity.

Mais tant que les Ontariens chercheront du travail, que des élèves veulent acquérir des connaissances, que des patients auront besoin de soins, que des personnes vulnérables auront besoin d'aide ou que des familles seront inquiètes pour leur sécurité, nous avons des défis à relever et du travail à faire. Je sais que nous nous engageons tous et toutes à poursuivre ce travail au cours des mois et des années à venir.

Still, as long as there are Ontarians seeking work, students seeking knowledge, patients needing care, the vulnerable seeking help or families concerned for their safety, we have challenges to overcome and work to do. I know that we pledge—all of us—to continue this work in the months and years ahead.

Before I conclude, at a time of year when we traditionally count our blessings, I want to count three of Ontario's.

First, we are truly privileged to live in this, the finest province in the greatest country in the world. Our Canada has combined the wisdom of aboriginal peoples with what the British called peace, order and good government and what the French describe as liberty, equality and fraternity. We then mixed these values with the best the rest of the world has to offer: the Confucian philosophy of harmony from China, a doctrine of non-violence from India and a love of freedom and tolerance from those who knew war and even bigotry in Europe, to name just a few. In this way, we have together built something here that is uniquely, beautifully, even magically Canadian. We have every reason to celebrate, whatever its flaws, its magnificence.

Second, I want to acknowledge all members of this House. I want to wish you a joyous holiday season and thank you for your work. It takes a special combination of courage and commitment to public service to put your

name on a lawn sign and put yourself and your family on the line. An especially deep commitment is made by those, like Mr. Tory and Mr. Hampton, who seek and fulfill positions of leadership. While we may have our differences from time to time, as it should be in a parliamentary democracy, I know that every member of this House is dedicated to the people of this province.

That is whom I want to thank most of all: the people of Ontario. The progress we have made this year belongs to them, for they raise the families, they pay the taxes, they take the risks, they provide the jobs, they do the hard work. They make untold sacrifices. They do this to build a better life for their children and their children's children, and they make untold contributions to a stronger province and a better Canada for all of us.

The author Herman Melville once wrote: "We cannot live for ourselves alone. Our lives are connected by a thousand invisible threads, and along these sympathetic fibres, our actions run as causes and return to us as results." For the results that we have achieved this year, I thank the members of this House, but most of all, I thank the people of Ontario.

1400

EMERGENCY MANAGEMENT

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): Today, I am honoured to introduce the Emergency Management Statute Law Amendment Act. This legislation, if passed, would change the way we approach emergency situations in Ontario.

First, let me express my personal gratitude to Commissioner of Emergency Management Julian Fantino, who continues to serve our province well. He is sitting in the members' east gallery. After a distinguished career as the chief of the Toronto Police Service, Commissioner Fantino took on the new challenge of ensuring that our province is emergency-ready. To that end, Commissioner Fantino is responsible for providing coordination and leadership in all aspects of the government's emergency management strategy.

This bill is based on Bill 138, which was developed by the standing committee on justice policy. The committee undertook extensive research to fully understand the issues. The committee worked hard to listen to and take advice from a wide range of stakeholders, including representatives from all levels of government, interested associations and the private sector.

We intended to call this committee bill for second reading but did not receive the required all-party support to do this. This bill is really too important to play politics over. Ontarians deserve effective measures that will allow their government to best protect them during times of emergency, and they deserve to have this as soon as possible. That's why we decided to make it a government bill. We have taken the lessons learned from the committee and incorporated a number of improvements to ensure that this bill strikes the right balance between

government protection of Ontario and the civil rights of all of its citizens.

Clearly, times are changing, and we must all get used to a new reality. We've learned that we are all vulnerable. The world has changed, and governments everywhere have been forced to change as well. Terror attacks such as the one in Madrid last year, the London bombings on July 7 and the attacks on western hotels in Jordan this year serve as reminders that terrorists can and will strike anywhere. Such events demand an unprecedented awareness and vigilance and a determined approach to deal with this new reality. We have to face the facts: Modern weaponry, travel, technology and the interconnected global economy have increased the scale of risk substantially, and threats to our safety come from a variety of sources.

We have also witnessed the crisis caused by the 2003 SARS outbreak in Toronto. Worldwide outbreaks of disease are now a reality. We hear almost daily on the news about the threat of a global pandemic, including the avian flu. And of course you remember the August 2003 power outage across the province. That was no terrorist act, yet once again we were reminded of how vulnerable we are.

Make no mistake: Ontario is a safe place in which to live, but in the presence of new global threats, we must make it safer, and that's what this bill is all about. It's a bill that will better equip us to respond to all types of emergencies in the future; and it's about working together.

The primary purpose of this bill is to provide emergency powers to the Lieutenant Governor in Council and to the Premier to deal with emergencies. The bill will amend the Emergency Management Act to further improve the province's ability to respond to all types of emergencies. The bill will help clarify under what conditions the province can declare an emergency.

It will provide authority to cabinet and government, including the ability to restrict travel or order evacuations; establish facilities for the care, welfare, safety and shelter of individuals, including emergency shelters and hospitals; fix prices for necessary goods, services and resources, and prohibit price-gouging; and widen job protection for people who are unable to work due to declared emergencies.

We need the legal authority to deploy relief and to help those who could become homeless to rebuild their lives following a catastrophe. Just like other jurisdictions around the world, we must add the further steps of creating the legal authority to support effective emergency management. Ontario must have effective emergency powers to respond to emergencies.

Ontario is the only jurisdiction in Canada without this type of emergency legislation. We need powers that allow us to get the job done, and done right, to keep our citizens, our communities and our economy safe.

Ontario is faced with tremendous challenges and limitless opportunities. We know Ontario can compete in the modern world, yet we would be short-sighted not to recognize that our fate is influenced by and tied to count-

less events beyond our borders. Our approach is not to reinvent the wheel. We can explore what's working and learn from the experience of others, and we have our own lessons and approaches to share with them.

Emergency management is an ongoing challenge and a critical one. But through the efforts of each one of us, we will rise to the challenge, because it's no exaggeration to say that what is at stake is the safety and well-being of our families, our friends, our communities, and even the world. Our future depends how well we as a society address those threats, seize the opportunities we have, and prepare for and respond to emergencies, regardless of their source, whenever and wherever they occur.

The Speaker (Hon. Michael A. Brown): Responses?

Mr. Robert W. Runciman (Leeds–Grenville): I'll respond briefly to the Minister of Community Safety. It's truly unfortunate that he comes into the House today and suggests that the opposition parties were the cause of Bill 138 not being called for second reading. That is ludicrous, and anybody who knows the workings of the House knows it is ludicrous. In fact, our party offered to work in a collaborative way to come up with a government bill that addressed these urgent issues in a timely manner, and that was rejected out of hand. There was never any response, and then we get comments like we heard today from the Minister of Community Safety, which do a disservice to the members of this House and put the lie to the positions they've taken in the past with respect to an open and collaborative Legislative Assembly. It's truly unfortunate.

GOVERNMENT'S RECORD

Mr. John Tory (Leader of the Opposition): I'm going to respond to the statement of the Premier, and may I join him in saying to all members of the House that I hope everyone has a wonderful holiday, a Merry Christmas and a Happy New Year. I look forward to being back here with other members of the House in the new year when we come back to our work in this place.

I agree with the Premier: This is a blessed place to live by any relative standard. The challenge, I think, is for governments to make sure that we can keep it that way, to make sure that people can maintain that hope that generation after generation has had and has seen fulfilled, namely, for them to be satisfied their children are going to have a higher standard of living and a better life in every single respect than they themselves had. I think that is the kind of government the people of this province deserve and the province itself deserves.

I have a statement here that goes through, talking about a series of issues, and I think, frankly, the results have been disappointing for the people of Ontario. They are things I have asked about in the House, and the Premier properly acknowledged that that is the job of the opposition party leaders: to ask those questions and to shine light on those things.

1410

We could talk about jobs and that fact that there are jobs being created in the province, but there are an awful

lot of jobs being lost at the same time, and families are affected by that. And when you come here and ask a simple question about when the plan is going to be brought forward to help those families and those communities, you don't get an answer. You don't get the sense there is an answer, which really would have just been a date.

When you come forward and ask about wait times, which, by the government's own supposedly reliable information, are supposed to be going down and in fact seem to be going up, there is no answer other than, "The information that we told you is reliable really isn't reliable."

When it comes to electricity, where promises were made that people would be protected, what we find is that there really is no plan and that people are faced with skyrocketing costs, which are having a negative impact on jobs and on the lives of individual Ontarians who are struggling to keep up.

When it comes to community safety, we had what I really thought was the most disappointing spectacle of all; namely, a summer unlike any we've seen and hopefully will never see again, but with silence from the government through most of the time in the course of the summer.

I had more comments to make on all those issues, but I want to put those aside and take the last couple of minutes to say this: While I accept at face value the words of the Premier with respect to the important role of the opposition party leaders and so on, I think we have a lot of work to do in terms of making this place work better for people, if we care about meeting the challenge of keeping this province the way it is and keeping that sense of hope alive for people that the next generation is going to have a life that is better than the one we've all experienced in this province.

That means we cannot afford, in my view, to cast aside the role, the ideas and the meaningful participation of any member of this Legislature—I'll pick the opposition leaders last and start with even the government members. I think it means we have to make this place work better, have more real, productive, open discussions about things where people aren't told that things are off the table and matters can't be discussed and so on. With the challenges we face, I don't think we can afford to minimize the contribution of any member of this place, or restrict what they can do or put down what they say or dismiss their ideas before they've even been given any consideration.

I think people are looking for us to make things work better collectively: to work together on developing a plan to respond to what has gone on with the layoffs; to work together to develop a plan to ensure community safety in neighbourhoods across Ontario. They want to see less of the partisanship, less of the jousting that goes on in this place and more results that people have developed collaboratively, between members of this House, between parties, between community leaders, union leaders, business leaders and average Ontarians. It starts

with leadership by example from this place. I don't think we are delivering that and, as a result, I don't think we're getting done as much as we could get done for the people of Ontario on these issues so that they can have that sense of hope, going forward, that the lives of their children and grandchildren will be better than their own.

I hope we can do better at this as we go into 2006. I'm prepared to do my part, and I hope we'll do it together.

EMERGENCY MANAGEMENT

Mr. Peter Kormos (Niagara Centre): I respond to the comments made by the Minister of Community Safety. On behalf of New Democrats I tell you, sir, what a load of unadulterated bull feathers you've left on the floor of this chamber today. You make Charlie Harnick look downright Diogenic with the statements you made during the course of your ministerial statement.

To suggest that somehow opposition parties haven't been eager to collaborate in developing emergency management at an effective level in this community, I tell you, sir, is beneath you.

You want to talk about emergency management? You make sure police forces are adequately resourced. Deliver on your promise to come up with a thousand cops—not 50-cent cops; fully paid-for cops. Quite frankly, the need across this province in terms of policing is now 1,700 cops for police services to deliver core services. You make sure that firefighters are adequately resourced in terms of staffing. You abandoned that issue—that file—a long time ago. You make sure that paramedics, the front-line emergency response personnel, have the tools and resources to do the job they are called upon to do.

I express embarrassment, on behalf of this House, for what you've done to your backbenchers David Zimmer and Laurel Broten, as she was then. They worked hard developing Bill 138. You promised them that their efforts would be given due effort in this House. Yet their bill, the bill that David Zimmer and Laurel Broten worked so hard on as backbenchers, has been abandoned. It's been left to linger on the order paper without your calling it for even the first day of second reading debate. Shame on you for attempting to imply that you were going to give effect to the role of backbenchers, when you have denied the effectiveness of your own backbenchers, never mind backbenchers in opposition parties.

We are going to be vigilant in terms of examining this bill. We are going to be adamant about the reality that real emergency management is getting firefighters, cops and paramedics out there in adequate levels of staffing with adequate tools, something that you and your government have failed to do over the course of two-plus years now.

GOVERNMENT'S RECORD

Mr. Howard Hampton (Kenora-Rainy River): I want to take this opportunity to respond to the Premier

and to wish the Premier and all members of the Legislature happy holidays, and well-deserved holidays for many of us. But I also want to respond to some of the assertions that the Premier has made and say to the Premier, yes, we're all working toward a common purpose here. We recognize the style of parliamentary democracy. The government puts forward an agenda and opposition members critique that agenda, suggest improvements or, in some cases, suggest that the agenda is wrong-headed.

I want to say that I think some good things were accomplished over the last three months, but I also want to point out that a lot of people in Ontario were let down, and let me refer to some of those.

For example, I think a new medical school in northern Ontario is an excellent achievement. In that respect, I want to congratulate members of the former Conservative government for having the courage to make the decision and put in place the wheels so that would happen, because some of us have been campaigning, organizing and fighting elections on that issue for almost 20 years and it's nice to see it happen. I recognize the fact that it's happening now under a Liberal government, but the former Conservative government deserves recognition for having done much of the heavy lifting.

I want to say that, hopefully, like most Ontarians, I want to see wait times in our hospitals and medical clinics come down. So far, the evidence isn't there that they're coming down. So far, the evidence indicates that wait times are going up.

I want to say, yes, there may be new hospitals, but we need to recognize that fundamentally these will be private hospitals. They will be privately financed and privately controlled, and many of the services will be offered or provided by private, profit-driven corporations. If you put that concept to a test, most Ontarians do not approve of that.

I also think it's important that we acknowledge that, yes, 52,000 good-paying manufacturing jobs were lost in Ontario this year and many of those people are looking at some pretty difficult prospects. What I think was most painful was that when some communities came here to raise those issues, members of your government called those people "crybabies" and "whiners," and we need to seriously reflect on that.

While I wish all members the very best of holidays, let's rededicate ourselves to doing a better job when we come back here in February.

DEFERRED VOTES

PRIVATE SECURITY AND INVESTIGATIVE SERVICES ACT, 2005 LOI DE 2005 SUR LES SERVICES PRIVÉS DE SÉCURITÉ ET D'ENQUÊTE

Deferred vote on the motion for third reading of Bill 159, An Act to revise the Private Investigators and

Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999 / *Projet de loi 159, Loi révisant la Loi sur les enquêteurs privés et les gardiens et apportant une modification corrélative à la Loi de 1999 sur le Tribunal d'appel en matière de permis.*

The Speaker (Hon. Michael A. Brown): Call in the members. This will be a five-minute bell.

The division bells rang from 1418 to 1423.

The Speaker: All those in favour will rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Kular, Kuldip	Runciman, Robert W.
Arthurs, Wayne	Kwinter, Monte	Ruprecht, Tony
Balkissoon, Bas	Lalonde, Jean-Marc	Sandals, Liz
Bentley, Christopher	Levac, Dave	Scott, Laurie
Berardinetti, Lorenzo	Marsales, Judy	Sergio, Mario
Bradley, James J.	Matthews, Deborah	Smith, Monique
Brotten, Laurel C.	McGuinty, Dalton	Smitherman, George
Bryant, Michael	McMeekin, Ted	Sterling, Norman W.
Caplan, David	McNeely, Phil	Takhar, Harinder S.
Chambers, Mary Anne V.	Miller, Norm	Tascona, Joseph N.
Chudleigh, Ted	Milloy, John	Tory, John
Colle, Mike	Mitchell, Carol	Watson, Jim
Cordiano, Joseph	Mossop, Jennifer F.	Wilkinson, John
Delaney, Bob	Ouellette, Jerry J.	Wilson, Jim
Duguid, Brad	Peters, Steve	Witmer, Elizabeth
Duncan, Dwight	Peterson, Tim	Wong, Tony C.
Flynn, Kevin Daniel	Phillips, Gerry	Wynne, Kathleen O.
Gerretsen, John	Pupatello, Sandra	Yakubuski, John
Hoy, Pat	Qaadri, Shafiq	Zimmer, David
Jackson, Cameron	Racco, Mario G.	
Klees, Frank	Ramsay, David	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Hampton, Howard	Kormos, Peter	Martel, Shelley
Horwath, Andrea	Marchese, Rosario	Prue, Michael

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 61; the nays are 6.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ORAL QUESTIONS

ECONOMIC POLICY

Mr. John Tory (Leader of the Opposition): My question is to the Premier. Over the last couple of days, after many weeks of questioning, we've started to see some sympathy and just the lightest stirring from you and your government on the issue of the devastating job losses that have been taking place in family after family and community after community across the province. Yesterday, when I asked you a very simple but important question that concerns the livelihood of these thousands

of men and women, their families and their communities, you did not give me an answer.

Don't you think the 52,000 families dealing at this time of the year with layoffs in their lives, the loss of a paycheque and the devastation to their communities deserve an answer on this question, which is: On what specific date will you—your government—bring forward to this House the comprehensive action plan for these families and communities that this House endorsed last week? What date?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Let me say that the leader of the official opposition does not have a monopoly on empathy for families which find themselves in difficult financial circumstances because they've lost their jobs. That is something that we feel very deeply on this side of the House. We remain very much engaged in this issue. I can tell you, one of the most important aspects of our plan to strengthen this economy has to do with strengthening the education and skills of the people of Ontario.

Now, the member might not like our plan. He continues to say that we don't have plans, but what he's really saying is that he doesn't like our plans. Our plan, in the face of globalization, is to put \$6.2 billion into our colleges, universities and apprenticeship programs, because we understand that what's going to attract investment, what's going to attract new jobs are highly skilled and educated workers. I have more to say in supplementary.

Mr. Tory: I say with the greatest of respect to the Premier that those investments, which may pay some dividends down the road, are doing nothing—they are doing nothing—for the people who are struggling to pay your health tax today. They're struggling to pay your hydro bills today; they're struggling to feed their families and clothe their children. That is why what I have been asking you about is something that is going to help these families and these communities now with the impact of the layoffs they are facing now in communities across this province. We've named them all over a period of weeks.

Recent additions to that list: Auto parts manufacturer Dana Corp. announced yesterday it's closing its Burlington plant—80 more people laid off; Dura Automotive in Bracebridge—48 employees laid off, 10% of their workforce; Abitibi confirmed yesterday it will close its mill in Kenora—390 people out of work.

These families and communities are looking for the plan your members voted with us last week to have. My question is simple: When is there going to be something that will provide some help and some hope for those families now?

1430

Hon. Mr. McGuinty: In addition to investing heavily in the skills and education of Ontarians, in Ontario youth in particular, we have also secured a brand new agreement with the federal government that will land \$1.4 billion more here in Ontario over the course of the next several years. We will use that money to invest in

the retraining of workers who may have lost their jobs or others who may be seeking to improve their skills.

I would ask Ontarians to carefully consider—I haven't seen any particular plan from the leader of the official opposition with respect to this issue—how cutting \$2.5 billion out of their health care will help Ontario families. He's also promised tax cuts on a number of fronts. I would ask them to consider the ensuing cuts that will necessarily mean to good-quality public services and how that will help Ontario families. We will continue to invest in their schools, in their health care—

The Speaker (Hon. Michael A. Brown): Thank you.

Mr. Tory: It's the same old, same old: Pretend there isn't a problem, blame somebody else; blame me. You are the Premier; I'm the Leader of the Opposition. We will change that, because if you carry on on this course, where the best you can do—when you've been invested with the responsibility to lead the government of this province, when 52,000 families are affected by job losses, communities are devastated and people are deeply affected by this—is to have no answer as to what you can do except to say, "Over the next few years, we'll do this or that," that is not good enough.

ThyssenKrupp Budd in Kitchener—96 people next Friday, two days before Christmas, and 160 employees will follow in January; VSA automotive in Kitchener—150 people next Thursday, three days before Christmas; and for the new year, Guelph can look forward to 895 layoffs. All I have asked you is, when will you bring forward a plan that will deal right now with the dislocation and devastation being faced by these families and communities in Ontario? When are you going to do it, as Premier of Ontario?

Hon. Mr. McGuinty: I think it's important to understand that during the period from 1995 to 2003, the rate of unemployment in Ontario averaged 7.3%. Today, it is 6.1%, the lowest in some four or five years. October just passed: 21,200 net new jobs; November: 1,400 net new jobs. Since we took office, 215,700 net new jobs have been created in the province of Ontario. Procter and Gamble, in Belleville, just recently announced 100 full-time jobs; Kuntz Electroplating—60 new jobs in Kitchener; Research In Motion, KW—1,200 new employees; Christie Digital Systems in Kitchener—45 new employees; Koei, here in Toronto—200 new jobs; Ranbaxy Pharmaceuticals have just announced that they're creating a new headquarters in Mississauga.

HIGH SCHOOL STUDENTS

Mr. John Tory (Leader of the Opposition): Again my question is to the Premier. While no one would disagree with responsible, effective measures to lower the dropout rate, when your education minister announced with much bravado that your government would force kids to stay in school, even against their will, he included penalties ranging from \$1,000 fines to suspension of drivers' licences in his scheme.

I want to quote from today's editorial in the Toronto Star, which said, "Without some indication that" coercive

steps work "in other jurisdictions, Kennedy needs to rethink this idea. How would he enforce it ... if a student got his licence, then stopped going to school?"

Premier, how will you enforce this?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): First of all, let me say that I wholeheartedly support this policy that has been initiated by our government. I'll tell you what motivates it, and I'm open to very constructive and positive advice that might be offered by my friend opposite. We believe that at the beginning of the 21st century, a 30% dropout rate in Ontario in a knowledge-based economy is, in a word, unacceptable. We are prepared to do whatever it takes to get that dropout rate down and get the graduation rate up. The Minister of Education has specifically pledged that we will put in place the necessary infrastructure, the necessary supports, the important new curriculum—a new high school major—to ensure that we can engage young people, that we can attract them, whether inside a traditional classroom setting or outside in an apprenticeship or workplace experience. But we will do what is essential to engage young people and make sure we are graduating more. It is essential, at the end of that, to say that we're serious about this, and making a driver's licence—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary.

Mr. Tory: I agree with you that a 30% dropout rate is unacceptable. Let's look at the dropout rates in the states that suspend licences for poor school attendance: Alabama, 38% dropout rate; Georgia, 36% dropout rate currently; Texas estimates a dropout rate between 30% and 40%. Those are the states that suspend drivers' licences. According to the Education Commission of the States' March 2005 report, "Little research has been completed on the effect these types of laws have on truancy or dropout rates."

You've also announced that you propose to fine kids who have poor attendance. I don't know how you get kids who don't have any money to pay fines, but Ontario's Provincial Offences Act says that if a student can't pay your \$1,000 fine, then you could take them to court, charge them with truancy and they could face probation and possibly a 30-day jail sentence.

Premier, can you confirm that no one will go to jail, and given the lack of evidence supporting these measures, that you will rethink the provisions of this bill?

Hon. Mr. McGuinty: The leader of the official opposition is missing a very important dimension. He would compare us with dropout rates south of the border. We have learned from those experiences, and we understand that it's very important to put in place the necessary supports, the necessary curriculum and the necessary community-based and workplace opportunities before you put in that kind of a sanction.

What we are going to do is make sure that we have the programs in place that engage young people. I'd ask the leader of the official opposition to ask himself, why is it that no government has ever taken this on? Because they understand that it is difficult to do.

I think everybody agrees that ensuring that young people continue to learn to 18 is important and it's the right thing to do. The sanction is a very important component of that, but it has got to be seen in context. It's at the very—

The Speaker: Thank you. Final supplementary

Mr. Tory: I think it's becoming more obvious by the day that this bill is flawed. It is public policy by gimmick and something we've seen a lot of from your government. Whether it's a wait times Web site that you now say isn't reliable, whether it's a pit bull ban that isn't enforceable or a promise to shut down coal plants that you can't keep, you haven't done your homework yet again.

We've had pleas from constituents around the province over the last two days who are going to be affected, saying this bill ignores their personal circumstances. There is a report in the media of one student who says he's going to have to drop out to care for his parent, who suffers from cancer. How will this bill deal with that student? From today's National Post editorial, "In rural areas particularly, it is much more difficult" to find work "without a driver's licence. In effect," this "plan would ensure that those already facing reduced options ... are virtually consigned to failure."

Why have you not considered the impact of this bill on kids in rural Ontario, just to pick one example? Why have you not done that?

Hon. Mr. McGuinty: When the Conservatives formed the government, 14,000 more young people dropped out every year as a result of their educational policies. They did nothing to curb that disaster. We decided to take it on. We decided to put in place the necessary programs to retain young people in schools. If the leader of the official opposition believes we should keep the dropout age at 16 in Ontario in a knowledge-based economy, then he should stand up and say so.

We think it's time for us to mature as a learning society. That's why we're sending a modest signal to young people that we will do everything that we possibly can from our end to make sure that we've got the necessary programming in place so that they can stay in school and learn in a way that is relevant and meaningful to them. That's why, beyond that, we said we're going to put \$6.2 billion into our colleges, universities and apprenticeship programs.

We are committed to doing whatever is necessary—

The Speaker: Thank you. New question.

NUCLEAR ENERGY

Mr. Howard Hampton (Kenora-Rainy River): My question is for the Premier. Premier, people are demanding that you keep your promise to have a thorough consultation with the people of Ontario regarding your \$40-billion scheme to build new nuclear plants and refurbish old ones. This can only be done by submitting the recently released Ontario Power Authority report to a full environmental assessment under the province's

Environmental Assessment Act. The question is, Premier, will you submit the Ontario Power Authority's plan to a full environmental assessment under the province's Environmental Assessment Act?

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Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): We look forward to engaging all Ontarians in a very important conversation about the kind of supply mix we need to ensure that we have a reliable supply of energy long into the future. To that end, we will have a full, open and public consultation, but I'll leave it to the Minister of Energy to describe that in more detail in the new year. I will certainly take advice from the leader of the NDP in that regard, but I'm open to advice from others as well.

Mr. Hampton: Premier, one minute you talk about a 60-day consultation on the Web site. The next day you talk about a conversation. I want to be clear. This is a huge undertaking for Ontario. It has huge environmental implications and huge health and safety implications, not to mention the financial implications. A real environmental assessment would subject the Ontario Power Authority's plan to a public hearing before a joint board of the Ontario Energy Board and the Environmental Review Tribunal. That was the approach of your predecessor, David Peterson, when he was presented with a similar plan by Ontario Hydro in 1989.

Premier, given the huge economic, environmental, and health and safety issues associated with your \$40-billion scheme, will you do the same thing David Peterson did? It was the right thing to do then; it's the right thing to do now. Will you do it?

Hon. Mr. McGuinty: I know the leader of the NDP has a real interest in these issues. I can provide him with the assurance that, first of all, we intend to learn—I don't know where he came up with this \$40-billion figure. If there's some specific proposal he's had, for which he's prepared an accounting, then I'd ask him to table that, but if he doesn't have facts in that regard, I ask him to keep somewhat of an open mind as we engage Ontarians in a very important discussion.

The issue at hand is whether or not we should make decisions now, and what kind of decisions those should be to ensure that we have a reliable supply of electricity into the future: what kind of a supply mix we should have, and how much effort we put into conservation, how much into renewables, for example, and how much into gas-fired and how much into nuclear. Those are important kinds of questions. We think we should take the time to talk to Ontarians and in due course, the Minister of Energy will—

The Speaker (Hon. Michael A. Brown): Thank you.

Mr. Hampton: Premier, that's why we need a full environmental assessment, as I've called for, not a conversation, not a discussion somewhere, a full environmental assessment.

Where did the \$40-billion figure come from? People looked at the OPA report and went out and talked with some people who were experienced. They said this will

be at least \$40 billion. If you look at the Darlington experience, it may in fact be an \$80-billion financial cost, which boils down to about \$26,000 for every family of four in the province.

A full environmental assessment is the only way we can ensure that a full economic and environmental review of this plan happens before it proceeds any further. Will you submit the Ontario Power Authority electricity plan to a full environmental assessment? What are you afraid of, Premier? Your predecessor did it. It was the right thing to do then. Will you do the right thing now and submit it to a full environmental assessment?

Hon. Mr. McGuinty: If the leader of the NDP thought the full environmental assessment process that then Premier Peterson did was the right way to go, why did they cancel it? It's kind of a basic question I would ask him to answer.

Just so we're clear, to the leader of the NDP: I don't consider the Ontario Power Authority's advice to us to be a hard and fast plan that we're somehow going to turn over to an environmental assessment process. I think what we need to do now, building on that advice, is work with Ontarians to come up with a specific proposal that would be worthy of sending off to an environmental assessment process. So I'm not going to take the advice we've just received, which is nothing more than advice—very important advice worthy of attaching considerable weight to—and send it off to an assessment. Let's talk to Ontarians, then develop a specific proposal and make that the subject of an environmental assessment process.

ECONOMIC POLICY

Mr. Howard Hampton (Kenora–Rainy River): To the Premier again: Today, for the first time, you finally acknowledged that people in Ontario are hurting after the loss of 52,000 good-paying manufacturing jobs. When I heard that you finally acknowledged this, my response was, where has the Premier been for the last year? Where was his government when community after community from northern Ontario said that skyrocketing electricity rates would kill thousands of jobs? Where was your government when communities asked you for strategies to deal with these issues? Finally, when people came here to Queen's Park to plead their case, why did members of your government call them whiners and bellyachers? Can you tell people that, Premier?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The leader of the NDP has a wonderful gift for creativity when it comes to these kinds of things. I think he owes it to all of us to be straight. There was one particular member of the government who said something that was decidedly unhelpful, for which he later apologized, and which I indicated was in no way representative of our policy or our sentiment, just so we're very clear on that and so that Ontarians are aware of that.

I think another important fact here is that, while I said today that the unemployment rate is 6.1%, our lowest

level in some four or five years, and while I said the average was 7.3% under the Conservative government, I think it's important to know that under the NDP we averaged an unemployment rate of 9.4%, just so we are clear and factual about who paid how much by way of devastating losses for our families under various governments.

Mr. Hampton: I think, if you're fair at all, you'd acknowledge that Bob Rae had to govern the province when the American economy was in the tank and the Japanese economy was in the tank and the Canadian economy was in the tank. Today, you have a robust economy in China, India, Japan, the United States and Canada, and you are losing manufacturing jobs in the province.

Premier, you may call people who lose their jobs crybabies. I call them family, I call them friends, I call them neighbours, and today—

Interjections.

The Speaker (Hon. Michael A. Brown): Order, Minister of Health and Minister of Economic Development and Trade.

The leader of the third party.

Mr. Hampton: When 320 people find out today that they lost their jobs, they are not to be called crybabies. Those are families who are in very difficult straits. But what's more, this is an industry that has come to your government many times over the last year and a half and said to you, "Your electricity policy, your forest policy is going to kill thousands of jobs." What they're asking today is, when is your government finally going to respond in a meaningful way? When are you going to deal with the electricity crisis you've created? When are you going to deal with the forest crisis you've created in this province?

Hon. Mr. McGuinty: The leader of the NDP, I assume, is talking about the devastating job losses affecting the community of Kenora today. It is of little consolation to that community that a sister plant was closed in Stephenville, Newfoundland. But just so we are clear, the electricity prices there are about half of what they are here, and notwithstanding that, they still shut down that particular plant.

I can say that I had the opportunity to chat with Dave Canfield, the mayor of Kenora. We talked about how, for months now, our government has been working as hard as we could with the employer. We put forward what we thought was a really aggressive proposal addressing fibre issues and energy costs, but unfortunately that could not be the subject of agreement between the employer and the employees. I don't pretend for an instant to know what happened in that regard, but I can say that in speaking with Mayor Canfield I have pledged that we will work with him to do everything we possibly can to put that community on a stronger footing. I know they're going to experience—

The Speaker: Thank you.

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Mr. Hampton: This sounds like repentance after the fact. A year and a half ago, representatives of the pulp

and paper industry came to Queen's Park. They brought the graphs, they brought the charts and they said to your government, "The electricity policy you're on is going to kill thousands of jobs." And what do we see happening? We see Cascades in Thunder Bay, over 500 jobs; we see Domtar in Cornwall, all told, 900 jobs; even in your hometown of Ottawa, Domtar is closing the mill, over 200 jobs; we see Kenora, over 320 jobs; we see Terrace Bay, 150 jobs; and we see Dryden, another 40 jobs. All of this is happening after these communities came to your government and said, "Your policy of driving up electricity rates, your policy of driving up the delivered cost of wood, is going to kill jobs."

Premier, who controls the cost of electricity in Ontario—

The Speaker: The question has been asked. Premier?

Hon. Mr. McGuinty: To the Minister of Natural Resources.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I'd like to remind the member that, as he knows, Abitibi Consolidated came to our ministry with a proposal this summer as to how they could keep a machine viable and sustainable in Kenora, at their plant there. We invested a lot of time, and worked with our colleagues in finance, northern development, economic development and trade, and energy to put together a proposal that the company was very confident would give them a sustainable footing to move forward for a sustainable mill for the next 20 to 30 years.

As the member knows, when it came to discussions with the employees, those discussions broke down, and that is sad. I was devastated by this, too, because we had put a lot into this. I was very hopeful, and I'm sorry this went down.

HEALTH SERVICES

Mrs. Elizabeth Witmer (Kitchener-Waterloo): My question is for the Premier. You claim you are reducing wait times, but this e-mail to you from Helen Saari of York region demonstrates the opposite. Her husband was forced to wait three days for emergency knee surgery, despite the fact that the orthopaedic surgeon in the emergency room said he needed to be operated on right away. Mrs. Saari now asks you, "Is this why I am paying the extra tax that you promised we would not get last election? To watch my husband in excruciating pain for three days, which will add three days to his recovery, and therefore three days of diminished income to our family?"

Premier, you said you had empathy for people in this province. What do you say to Mrs. Saari and her family?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Health.

Hon. George Smitherman (Minister of Health and Long-Term Care): I think what we say to Mrs. Saari is that we're working in a decidedly aggressive way to address some long-standing challenges in the Ontario

health care system and that she should be very wary of an opposition party in this province that intends to cut \$2.4 billion from health care.

There is a letter that came in on the Premier's Web site just the other day. Linda from Ottawa wrote in: "I had contacted you in December of 2004 re the waiting time for hip replacement surgery, specifically the 12-15 month time frame designated for my" mom, who's 84 years old. "At that time your response was that efforts were being made to improve this time frame and hopefully things would improve shortly."

"I am writing to thank you for your efforts in improving the wait times and to tell you that my mother [had] surgery on May 11, 2005," not 2006 as was originally predicted.

Mrs. Witmer: That response is an insult to Mrs. Saari and to her husband. We know that the wait time data from your own ministry show that your wait times are increasing. Mrs. Saari writes, "The money is not going where you promised us it would go," to lessen wait times and provide more beds. "You have had two years to prove yourself and you have proven yourself as a politician who increases taxes under the guise of improving health care and taking that money and putting it somewhere else...."

"We have a crisis here and you and your health minister have ignored it."

Premier, can you explain to Ontarians, people like Mrs. Saari and her family, why they are paying more in taxes but waiting longer for health care services?

Hon. Mr. Smitherman: First and foremost is the necessity of addressing some of the inherent contradiction in any question that comes forward from a party that on the one hand pretends to be on the side of patients and on the other hand closed thousands of hospital beds and had on the record a policy to reduce health care spending by \$2.4 billion.

What I can tell Mrs. Saari is that we're working tremendously hard. This past week I had the privilege, alongside my colleagues from across the country, to establish benchmarks, and tomorrow our province will go further in terms of the access targets which we seek to improve upon. In the area of hips and knees, the area that the honourable member was raising the question about, we've increased capacity by 28%.

Here is what Dennis Egan, the CEO of a hospital in the member's riding, said: "The challenge with these areas is that in the past, the hospital hasn't collected or maintained information on waiting times in these areas. We are working with surgeons in the region to build a system that will work to increase capacity for these surgeries at Grand River Hospital, therefore reducing wait times."

HIGH SCHOOL STUDENTS

Mr. Rosario Marchese (Trinity-Spadina): I have a question to the Premier. I want to quote from an e-mail that I received yesterday: "I am writing to you as a father

of a son who dropped out at 16. Now at the age of 22 he is working toward his GED—general education development certificate—“and is supporting himself. When he quit school, my son’s only motivation was to work so he could have his own car and go out to his landscaper’s job.” He continues, “Keeping students in school is a great idea. Preventing young adults from driving is a bad idea. Work with them, not against them.” That is the quote from him.

I had another conversation with a mother today as well who said that her daughter won’t be able to drive and get a job if your bill goes through. She will be without an education and without a job.

Under your government, 30% of students are dropping out. Under your new initiative, 30% of students will still drop out, but they’ll have to wait two years to get a driver’s licence. How does a \$1,000 fine or preventing young people from getting a driver’s licence help students to stay in school?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Education.

Hon. Gerard Kennedy (Minister of Education): I appreciate very much the question from the member opposite. I’m sure he will want, though, to be responding to that e-mail in an accurate fashion, and it is this: There was a \$1,000 fine for students, which we think is not necessarily the right way to pursue and encourage students. What we’ve done instead is come up with a creative way to avoid the courts and instead provide an extra obligation for earning your driver’s licence as a means to stay in. But the learning we’re talking about could be a landscaping position. It could be earning while learning; it could be earning credits for college while taking a course and while working with an employer. It is, in short, a new kind of high school that we’re offering. To the people writing e-mails and to the people who are coming forward now, people are looking for this, and I would invite the member opposite to take a close look. The legislation requires these kinds of programs to be offered by school boards. The legislation allows us to work with colleges, apprenticeships and universities. I believe the legislation deserves the support of the member and the party opposite.

Mr. Marchese: The minister will know, or ought to know, that technical programs at the elementary and secondary levels have been lost. What programs exist in schools are inadequately resourced. Small schools throughout the province can barely be kept running, let alone offer the extra programs you talk about. Struggling students trying to graduate do not have sufficient course choices because their schools cannot afford to provide them.

Minister, without the resources to implement these great ideas, they are just virtual ideas. You’re asking boards to implement programs that they don’t have the funds to implement. When are you going to commit to the funding that would make these virtual programs actually available in schools throughout this province?

Hon. Mr. Kennedy: I’m sorry the member opposite has a bleak outlook on our teachers and our schools and what they are doing. Ultimately, like the government that preceded this one, they can’t see themselves actually extending respect to people. Not only are the programs possible; they are happening in schools. We’ve put \$45 million to revitalize the shop programs, the technical programs in our schools. Several hundred new courses are available next semester, because the dollars are already in the schools. He speaks with hopeless pessimism about what can be done for our rural students. We say that the \$10 million we’re providing, \$100,000 to \$200,000 more to a school, will be there, and then Mr. Rosario Marchese and others hopefully will let loose of this blackness, of this idea that we can’t advance. We say that neither the naysayers nor the people who can’t see a better future will hold us back from—

The Speaker (Hon. Michael A. Brown): Thank you.

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MUNICIPAL LEGISLATION

Ms. Kathleen O. Wynne (Don Valley West): My question is to the Minister of Municipal Affairs and Housing. Yesterday you introduced the stronger city of Toronto for a stronger Ontario legislation, and our government understands what a strong Toronto means to a stronger Ontario. I’d like to share with you an excerpt from the Toronto Star’s editorial today: “Much credit for Toronto’s new power goes to McGuinty, who clearly understands the city’s needs and is willing to work to satisfy them. He has been a true friend of Toronto. That’s a huge change from the Conservative government of former Premier Mike Harris, which all too often assumed the role of an enemy.”

Yesterday the opposition leader refused to say whether or not he would support the legislation. He was really busy talking about elephants. Mr. Tory should know that elephants never forget, just like my residents in Don Valley West and the people of Toronto never forget that their city was trampled on and treated like an enemy when his party was in government.

So after years of neglect, there—

The Speaker (Hon. Michael A. Brown): I think there was a question. The Minister of Municipal Affairs and Housing.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): First of all, I would like to congratulate and thank the member for Don Valley West for all the valuable input she had in this legislation over the last year.

I totally agree with her that our Premier, Dalton McGuinty, completely understands what needs to be done in order to put the city of Toronto on a solid and sound footing, as we want to make this city an even better city and more globally competitive in the 21st century. That’s exactly what we’ve done with this bill. We have given our capital city, Toronto, the ability to determine for itself what is in the best interests of the

people. We have given it greater flexibility to address the day-to-day issues that need to be addressed. We have empowered the city of Toronto to make the best decisions possible—

The Speaker: Thank you. Supplementary, the member for York West.

Mr. Mario Sergio (York West): Minister, I know my constituents are pleased with yesterday's announcement, as well as with all that the McGuinty government has done since 2003 to support the city of Toronto. The legislation he introduced in the House yesterday would provide the foundation for the city of Toronto to take its place as a world leader among municipal governments globally. We have always known that Toronto is a great city to live in, work in and visit; now our government is working to strengthen its responsibility and accountability as well.

My constituents understand our government's commitment to helping Toronto, and they know that by working to make Toronto strong, healthy and prosperous, we are strengthening our entire province. Some of my constituents have been asking me what the proposed legislation really means. They would like to learn the impact, how on a day-to-day basis it affects their lives. Minister, please illustrate for my constituents, and all Torontonians, as a matter of fact, how this legislation, if passed, would improve their—

The Speaker: Minister.

Hon. Mr. Gerretsen: Having worked with the member for York West over the last 10 years, there's no more effective a spokesperson for the people of Toronto, and particularly for the small business owners here in Toronto, than the member from York West.

Let me give you a couple of examples of what the city of Toronto will be able to do under the new act. Under the current act, the city has limited ability to shape the appearance and design of buildings. What we're doing in the proposed act is giving the city more control over the look and feel of the city through controls over architectural detail and building design.

Under the current act, the hours that Toronto businesses can remain open on certain holidays is extremely limited. Under the new act, we're giving the city complete power to determine issues like that.

The city currently has a limited ability to determine the environmental quality of buildings. Under the new act, we will give the city the increased ability to encourage certain exterior environmental features and to require green roofs. These are—

The Speaker: Thank you. New question.

REQUESTS FOR INFORMATION

Mr. Robert W. Runciman (Leeds-Grenville): My question is for the Premier. Approximately seven months ago, the official opposition filed a freedom of information request surrounding the schedule of the Minister of Transportation, and his cell phone listings as well. The minister asked for an extension in August. It's now seven

months. This deals with questions surrounding his activities at Chalmers Group, a matter under investigation by the integrity commissioner. After seven months, he has failed. Do you support that failure, Mr. Premier, and if not, what will you do about it?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The member knows that this matter has been referred to the Integrity Commissioner. Members of the opposition have had an opportunity to make presentations to the Integrity Commissioner, and I think we should place our faith in the Integrity Commissioner to do the job and give him the time he thinks is appropriate to address the matter.

Mr. Runciman: The usual mumbo-jumbo from the Premier; no answer to the question, which was quite direct, with respect to the minister's failure to comply with the requirements of the freedom of information act. For seven months—

Interjection.

The Speaker (Hon. Michael A. Brown): Minister of Community and Social Services, come to order.

Mr. Runciman: For seven months he has failed to comply with, I think, very reasonable requests. We're talking about the minister's schedule for a very compressed period of time and his cell phone records for a compressed period of time. He has failed to comply with the requirements of the freedom of information act. This is in terms of questions about his activities, which may be in violation of the Members' Integrity Act. This smells of a cover-up, endorsed and sanctioned by the Premier's office. If that's not the case, table that information today. Comply with the requirements of the act. Do that today.

Hon. Mr. McGuinty: While the member opposite remains obsessed about skulduggery, let me tell what you the minister has been up to. He launched the first HOV carpool lanes on GTA highways; he launched new safety initiatives for school buses; he launched a new program for booster seats in cars; he launched the new Viva transit system in York region and he launched the new GTA fare card. We have a new northern Ontario highway strategy in place, we have in place a new rental truck safety inspection blitz, and he has delivered on the next phase of the gas tax to Ontario municipalities.

I'll leave it to the members opposite to engage in innuendo and skulduggery. I'll leave it to my minister to do the work he's supposed to do on behalf of the people of Ontario.

WORKPLACE SAFETY

Ms. Andrea Horwath (Hamilton East): My question is for the Minister of Labour. It's about how your ministry deals with dangerous workplaces in cases where an employee is fatally or critically injured on the job. My constituent, Tom Gall, was the victim of a very serious explosion at Heddle Marine in September 2004. He sustained burns to 60% of his body and has been off work for over a year. After the accident, ministry staff

identified serious health and safety infractions at that workplace but never attempted to prosecute the company.

Minister, someone nearly died on the job. Why were no charges laid?

Hon. Steve Peters (Minister of Labour): The health and safety of Ontario citizens is our number one priority. That's why we've made an unprecedented move to move forward with hiring an additional 200 inspectors. By the end of March next year, we'll have an additional 69 inspectors in place. As our inspectors take issues of health and safety in workplaces very seriously—and I ask the member. I'm certainly not going to comment about specific cases in this Legislature, but if you'd like, if you'd provide me with some information about this, you could just pick up the phone and call my office. You don't need to ask this question in the Legislature. That's what we're here to do. We're here to serve you and work with you, and my office is prepared to do that. Perhaps after question period, we can get together and get you some specifics about the concerns that you've raised.

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Ms. Horwath: The sad thing about it is that my office was working with the ministry office in Hamilton all through this process and didn't get any justice for this worker. Your ministry's own policy manual obligates your operations branch employees to carry out prosecutions for all incidents involving critical and high-risk injury, and that certainly happened here. You had a whole year. Mr. Gall suffered enormously. The accident wasn't his fault, and now the time to prosecute the company has expired.

Minister, by flouting your own policy and refusing to take action, you send a very clear message to workers that says that workplace safety doesn't matter. Will you assure the House today that all cases of wrongdoing involving critical and high-risk injury will be prosecuted in accordance with your policy?

Hon. Mr. Peters: Again, I'm not going to comment on a specific case. I would encourage the member, as I said earlier, to come over and talk to us. That's what we're here to do. We are committed to the interests of health and safety of citizens in this province. I think every one of us is conscious of that, and every member of this House is concerned about that. As well, I don't think it would be appropriate to comment in this Legislature about any specific investigations that are taking place.

We're moving forward on the hiring of an additional 200 inspectors. We're working toward reducing lost-time injuries in this province by over 20% by 2008. We're committed to health and safety, and I would hope that every member in this House is committed to health and safety. Certainly, we are concerned about any individual. Again, I urge the member to come across the floor, and let's have the opportunity to discuss the details.

INJURED WORKERS

Mr. Mario G. Racco (Thornhill): The question is to the same minister: the Minister of Labour. It is my belief

that our government has been working hard to improve workers' health and safety in our province of Ontario. Unfortunately, some people still suffer workplace-related injuries or illness and are forced to take time off. Just last Friday, I met with a group of injured workers, and they spoke to me about their personal financial problems. One gentleman from Hamilton was complaining that his case started in 1992, when the NDP was in power, and nothing was done. Then came the PCs, and his situation became even worse.

The people at the rally announced two improvements that your ministry just implemented, and they were pleased with what you have done. However, I understand that there is some more good news for our injured workers. Can you tell us what measures the Workplace Safety and Insurance Board will be implementing to help injured workers?

Hon. Steve Peters (Minister of Labour): I want to thank the member for his advocacy as well as for meeting with the injured workers last week. I think every one of us in the House needs to understand and hear the challenging situation that injured workers in this province have faced because of changes that previous governments have made to the WSIB. We need to recognize that one injury in a workplace is one too many. The government is committed to not only preventing workplace injuries, but as well providing support for those who are already hurt.

I'm really pleased to announce that the WSIB is moving forward on a number of initiatives. Starting January 1, as an example, the travel allowance for injured workers who need to travel and access labour re-entry programs has been increased by a full 10%, which puts the rate above most other provinces. The WSIB has also eliminated the set rate for room and board, which was an outdated and confusing allowance. As well, we're improving benefits for the independent living allowance, personal care allowance and guide dog support allowance, which will receive more money. As well, tackling the—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Racco: Certainly, those changes will go a long way toward helping the ill and injured workers of Ontario. I know that you have taken a personal interest in the well-being of injured workers right from your first day in office and that you have been meeting regularly with people. It is good to hear that the Workplace Safety and Insurance Board is improving conditions and making positive changes.

Minister, could you further update us on other developments concerning the Workplace Safety and Insurance Board, including the selection of a new chair?

Hon. Mr. Peters: Our government is very much committed to bringing forth an approach to injured workers that treats these individuals with respect and dignity. I've taken the opportunity to meet with thousands of injured workers across the province, whether it's been in Thunder Bay, in my own backyard in St. Thomas or representatives right here in Toronto. In terms of the

WSIB, we've made sure we're putting in place an accountable institution that provides long-term stability for the workplace injury system and provides benefits for injured workers.

As well, we've moved forward on a very open and transparent process of all our public appointments. No longer are the days of just strictly political appointments being made. We've completed the process right now. We've publicly advertised for the position of WSIB chair, interviews have been conducted, and from those interviews I'm quite confident that we'll be announcing, by the end of January 2006, a new chair, in an open and transparent process.

CANCER TREATMENT

Mr. Cameron Jackson (Burlington): My question is to the Premier. Five times in the last two months, I have raised the concerns of colorectal cancer patients in our province, who have been simply seeking treatment that has been recommended by their Ontario oncologists from Ontario cancer clinics. We've established that your government is currently paying at least three patients we know of in Ontario to go to Buffalo, at US\$24,000 each per month. On Monday of this week, the federal government approved a special access program to ensure that hospitals in Ontario can receive the drug Erbatux and provide it at \$3,500 per month to Ontario patients. Premier, do you not think it is a better use of Ontario's limited health dollars to spend the \$3,400 in Ontario, instead of sending these cancer patients to—

The Speaker (Hon. Michael A. Brown): Premier.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Health.

Hon. George Smitherman (Minister of Health and Long-Term Care): I believe it has been determined by now that for those individuals who did receive out-of-country approval for the provision of this drug, it was for the period before it had received its notice of compliance from Health Canada. I think that, accordingly, we continue to work on the basis that products which have received notice of compliance require approval from the drug quality therapeutics committee to be accessed. Accordingly, we have a system which does give the opportunity to apprise the needs of patients.

We have, by some extraordinary measure, increased our new drug funding for cancer drugs in the province of Ontario. I think this stands as a strong degree of support for the provision of appropriate product. Our system will continue to evaluate those products and offer them on the basis that they have established that they are appropriate and efficacious.

Mr. Jackson: It's clear that your cancer waiting times are growing, that your cancer delivery program is becoming more confusing and inconsistent, it's being protracted, and now we find it's unnecessarily wasting taxpayers' dollars in the United States.

With all due respect, Premier, if I could have your attention. Premier? Could I please ask the Premier to pay attention?

Premier, at 12 o'clock yesterday, Suzanne Aucoin from St. Catharines, who has colorectal cancer, used her Visa card and spent \$2,500 to acquire her life-saving drug. She then put it in her car and drove out of this province. Premier, I will ask you again: Will you not listen to the legitimate concerns of these colorectal cancer patients, who have asked for the same treatment that others from Ontario are getting in the US, at much less cost, to receive that treatment closer to home here in Ontario? And as well, address the issue of why they have to use their Visa cards to acquire life-saving cancer drugs in this province—

The Speaker: The Minister of Health.

Hon. Mr. Smitherman: The honourable member likes to pretend that he doesn't know the circumstances. I've been clear in indicating to him previously that any of those patients who had made application for the provision of this drug were assessed not once but twice from the standpoint of clinical efficacy. This is the challenge that we have. It's been long-standing in our province. It's exactly the same as it was under the previous government.

Accordingly, our government has contributed a sum of money that's quite extraordinary in terms of our willingness and our desire to extend good-quality product to citizens. Our announcement on Herceptin added \$148 million in additional expenditure over a period of three years and stands as our commitment, our willingness and our ability, when drugs are indicated for a level of efficacy that is appropriate, that we're going to find the resources to support them.

1520

EATING DISORDERS

Mr. Michael Prue (Beaches-East York): My question is to the Minister of Health. One month ago, my colleague from Nickel Belt asked you when your government would provide funding to deal with serious gaps in services for those suffering from eating disorders in Ontario. Your reply was succinct. You said, "Very shortly." However, to date, there's been no announcement regarding funding to deal with the deficits in the provincial network of eating disorder services, nor has there been any allocation of monies to create badly needed services here to stop the flow of adolescents and young adults to eating disorder programs in the United States. Minister, when will you be making this critical announcement?

Hon. George Smitherman (Minister of Health and Long-Term Care): I appreciate the honourable member's acknowledgement that, in those circumstances where we're unable to provide the service here in Ontario, we are working very hard, through appropriate mechanisms, to offer that support for people elsewhere. We would all agree that that's not the preferable circumstance.

I've indicated to the honourable member that we're currently re-profiling about \$5 million to \$6 million of

out-of-province support in order to be able to build a more robust access for people who need these services in Ontario. That we're not there yet means that we have not yet made an announcement. But I can confirm for the honourable member that people are working on this, even as we speak, with a view toward making it available on a priority basis. I will ascertain a more specific date and commit to the honourable member to get back to his office to indicate a more likely date of announcement.

Mr. Prue: Minister, you have acknowledged some of how serious this is, but just for the record, you know that one in four adolescent girls report at least one symptom of an eating disorder in this province. You know that 30% of healthy-weight girls and 25% of healthy-weight boys between the ages of 10 and 14 are involved in dangerous weight loss. And you should know that over 70,000 people are affected in this province, but there are only 30 treatment beds available all through Ontario.

The current eating disorder programs need funding just to get back to where they were in 2000. I know you have difficulty, but the people out there are desperately wanting to bring their kids home. They're desperately wanting to have the services here so that we don't have to spend \$5.6 million and have the kids being treated in another country.

Minister, please, please, endeavour everything you can to make this announcement before year's end.

Hon. Mr. Smitherman: I think many of us know people—young women, perhaps, in particular—who are in need of these services. This is not an issue that has left my family untouched. I can confirm to the honourable member my very strong desire, not just as a health minister but as an individual who has witnessed the challenges that young women in particular experience, to be able to make sure they have those supports.

Accordingly, I can repeat what I said a second ago, which is that, as we speak, people in the ministry are working very hard on an announcement and, more appropriately, on an allocation of resource which will enhance capacity in a variety of places around the province. I can't confirm whether it's possible to get that out in the next week or two, but I will commit, as I said in my earlier answer, to get back to the honourable member and let him know of a more specific time frame for announcement and for expansion of Ontario-based service.

AUTOMOTIVE INDUSTRY

Mr. Kevin Daniel Flynn (Oakville): I have a question today for the Minister of Economic Development and Trade. Recently, there's been a lot of talk about the manufacturing sector in Ontario, and not all of it has been accurate. Our government understands how critical the auto sector is to Ontario's economy, and that's why your ministry has implemented the auto investment strategy. Clearly, this is a strategy that's working. You and I have seen the results first hand in my riding of Oakville: massive long-term investments from companies

such as Ford and Automodular. Because of investments like this, Ontario is now the leading jurisdiction for automotive production in North America.

Minister, can you provide us with an update on the auto manufacturing sector in Ontario, and specifically in Oakville?

Hon. Joseph Cordiano (Minister of Economic Development and Trade): I want to thank the member for the question. It's a very good and important question.

I want to refer to a report that was issued by StatsCan today which indicates that most industries have posted higher exports, and this is important with respect to the manufacturing sector: a 1.9% increase in machinery and equipment and 1.6% in manufactured goods. Even in forestry, there's a 5.8% increase. Of particular importance to Ontario's automotive sector, Ontario vehicle shipments hit \$6.2 billion in October: a 7.6% increase from September.

Let me just quote from Doug Porter, chief economist at BMO Nesbitt Burns, who says, "Such performance does show that goods producers continue to cope with the strong Canadian dollar. Exports in manufacturing have fared a lot better than the doom and gloomers thought in 2005."

The Speaker (Hon. Michael A. Brown): Supplementary. The member for Pickering-Ajax-Uxbridge.

Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge): That's particularly good news. It shows that Ontario's economy is doing extremely well, and that's even contrary to what some might say. Not only is the economy doing well in the present, but a key part of the government strategy and agenda is to ensure that the workforce of Ontario's future stays highly skilled and very competitive.

I'd like to give you an example of just such an initiative. The Beacon project, a collaborative effort including General Motors, the federal and Ontario governments and the University of Ontario Institute of Technology, will have a major positive impact on the automotive industry and illustrates that our government is dedicated to creating the highly skilled workforce that the industry needs.

Although Ontario's economy is doing well, some communities such as Cornwall and Oshawa have been affected by some recent company announcements. I know our government takes every job very seriously and is concerned when a community faces such challenges. What can you tell these communities and others as they face these challenges?

Hon. Mr. Cordiano: I want to assure the families and the communities, the people involved, that this government is doing everything possible to work with those communities and with those people to ensure that there will be better times ahead.

I've endeavoured to meet with many communities over the past number of years since I've been a minister, recently meeting with the mayor of Cornwall and his economic development officer to sit down and talk about the impacts and to talk about what we can do together,

the province working with the municipality and with the federal government.

Let me tell you about the meetings we had with Niagara region, Hamilton, Sault Ste. Marie and North Bay to talk about an economic development plan. I visited all these communities over the past number of months to talk about the economic plans they're putting forward and to suggest to them that this government stands fully in support of the efforts they're making and will work with them on a continuous basis to ensure that economic development comes to every region of this great province.

PETITIONS

CANCER TREATMENT

Ms. Andrea Horwath (Hamilton East): This petition is to the Legislative Assembly of Ontario.

"Whereas we are asking for funding for Velcade to be available in Ontario. Ontario is the only province in Canada not currently making funding available for this drug, even though approximately 40% of people diagnosed with multiple myeloma in Canada are from Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To push the approval of Velcade through the review process and make funding available for patients in Ontario immediately, as it is in every other province of Canada."

I agree with this petition, have signed it and send it down by way of Kumail to the Clerk's table.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Bob Delaney (Mississauga West): I'd like to present this petition that's been collected from the city of Niagara Falls, and acknowledge the efforts of the members from St. Catharines and Niagara Falls.

"To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability

continue to receive quality supports and services that they require in order to live meaningful lives within their community."

This is a good petition. I'm pleased to affix my signature, and I'm going to give it to page Adam to carry for me.

1530

CURRICULUM

Mr. Norm Miller (Parry Sound-Muskoka): It's my pleasure to present a petition from students and teachers from a Muskoka school. It says:

"To the Legislative Assembly of Ontario:

"Whereas the current Ministry of Education of Ontario has prepared a secondary school curriculum completely devoid of the topic of calculus to be implemented in September of 2006;

"Whereas the changes to the curriculum have been presented to educators only after October 2005, and not yet to the general public;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ensure that the total removal of calculus from the Ontario secondary school curriculum be delayed until at least September of 2008, so that the change may be openly and thoughtfully considered."

I support this petition and affix my signature to it.

CANCER TREATMENT

Mr. Rosario Marchese (Trinity-Spadina): Dawne Warner organized this petition, and it reads as follows:

"Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

"Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

"Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

"Whereas cancer patients have the right to the most effective care recommended by their doctors;

"We, the undersigned, petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients."

I agree with this petition and sign it.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): I have a petition in support of my colleagues from St. Catharines and Niagara Falls. The petition is to the Legislative Assembly of Ontario:

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I support this petition and put my signature on this petition as well.

CHIROPRACTIC SERVICES

Mr. Ted Arnott (Waterloo–Wellington): I have a petition to the Legislative Assembly of Ontario and it reads as follows:

“Re: Support for chiropractic services in Ontario health insurance plan

“Whereas,

“Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

“Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment, at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province.”

I have affixed my signature as well.

PROTECTION FOR HEALTH CARE WORKERS

Ms. Andrea Horwath (Hamilton East): This is a petition sent in by nurses in Ottawa.

“To the Legislative Assembly of Ontario:

“Whereas sharp medical devices such as syringes, IV catheters, blood collection needles, suture needles, lancets and scalpels, put not only health care workers but also the general public at risk of injury and/or infection; and

“Whereas an estimated 33,000 needle-stick injuries occur in the health care sector alone in Ontario every year; and

“Whereas the annual cost of testing and treating needle-stick injuries in Ontario, in health care alone, is \$66 million; and

“Whereas, since the cost of using safety needles in all workplaces is relatively minimal, we can save \$8 million every year in Ontario by eliminating unsafe medical sharps; and

“Whereas safety needles protect health care workers and the general public, eliminating about 90% of sharps injuries where they are mandated by law;

“We, the undersigned, petition the Legislative Assembly as follows:

“That the Legislature pass legislation requiring the mandatory use of safety-engineered medical sharps in all workplaces where workers are exposed to blood-borne pathogens.”

I agree with this, Mr. Speaker. I sign it and send it to the Clerk's table by way of Cameron.

AGGREGATE EXTRACTION

Mr. Kevin Daniel Flynn (Oakville): I have a petition signed by members of the region of Halton and the town of Oakville.

“Petition to Rescind Joint Board Decision (June 8, 2005) Approving the Applications of Dufferin Aggregates to Expand its Mining Licence in the Niagara Escarpment World Biosphere Reserve.

“To the Legislature of Ontario:

“There are numerous reasons for rescinding the joint board decision, including the following:

“Whereas the decision contravenes the purpose of the Niagara Escarpment Planning and Development Act;

“Whereas the decision sets a precedent for quarry expansion licences on the Niagara Escarpment;

“Whereas this decision could lead to habitat destruction for species of concern;

“Whereas escarpment rural lands are equivalent to buffer designation under the United Nations' framework for biosphere reserve (buffer designation is expected to protect the sensitive nature of the core protected areas);

“Whereas, to attempt to maintain the significant wetlands and the streams course, water will have to be pumped in perpetuity;

"Whereas this decision allows for pumping 50 feet ... below the water table;

"Whereas the 50-foot dams to be constructed have a potential for failure;

"Whereas aggregate can be readily accessed close to market off the Niagara Escarpment in land that is not protected or at risk;

"We, the undersigned, petition the Legislature of Ontario as follows:

"We call on the government of Ontario to:

"Issue an order by the Lieutenant Governor in Council ... rescinding the decision made by the joint board dated June 8, 2005, approving the applications of Dufferin Aggregates in regards to this matter;

"Issue an order by the cabinet substituting for the decision of the board on this matter, a decision rejecting the applications of Dufferin Aggregates."

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Norman W. Sterling (Lanark-Carleton): I have a petition signed by 500 people from Smith Falls and other places in eastern Ontario to save Rideau Regional Centre in Smith Falls.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close the Rideau Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing the Rideau Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities;

"Whereas Ontario could use the professional staff and facilities of the Rideau Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep the Rideau Regional Centre open as a home for people with developmental disabilities and to maintain it as a 'centre of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I have signed it with a great deal of pride.

1540

OPTOMETRISTS

Ms. Andrea Horwath (Hamilton East): This petition is about the Optometry Act.

"Whereas the Legislative Assembly of the province of Ontario will be considering a private member's bill that

aims to amend the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases; and

"Whereas optometrists are highly trained and equipped with the knowledge and specialized instrumentation needed to effectively diagnose and treat certain eye problems; and

"Whereas extending the authority to prescribe TPAs to optometrists will help relieve the demands on ophthalmologists and physicians who currently have the exclusive domain for prescribing TPAs to optometry patients; and

"Whereas the bill introduced by New Democrat Peter Kormos (MPP—Niagara Centre) will ensure that patients receive prompt, timely, one-stop care where appropriate;

"Therefore, I do support the bill proposing the amendment to the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases and I urge the government of Ontario to ensure speedy passage of the bill."

I've signed it and I'm sending it down by way of Cameron.

CRIME PREVENTION

Mr. Lorenzo Berardinetti (Scarborough Southwest): This petition is addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas gun violence has been on the rise in the province of Ontario over the past year;

"Whereas such violence has had a devastating effect on communities across this province;

"Whereas this propensity toward gun violence is born largely out of neglect and abandonment on the part of the previous governments toward youth and the issues and concerns they face;

"Whereas programs supporting youth such as employment and recreation are essential in diverting youth from pursuing and embracing a culture of crime;

"Whereas we applaud Premier Dalton McGuinty for his quick response to this issue by immediately meeting with members of affected community groups and committing the government of Ontario to action;

"We, the undersigned, petition the Legislative Assembly of Ontario to request that the government of Ontario, as part of its strategy to deal with gun violence, restore and fund more programs that fund initiatives that empower youth like employment and recreation."

I agree with this petition, and I affix my signature to it and give it to page Nadia, who's here with me today.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Ms. Laurie Scott (Haliburton-Victoria-Brock): This petition is brought to me by Community Living Kawartha Lakes.

"To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I want to thank Community Living Kawartha Lakes for all the good work they do.

ORDERS OF THE DAY

DUFFINS ROUGE AGRICULTURAL PRESERVE ACT, 2005

LOI DE 2005 SUR LA RÉSERVE AGRICOLE DE DUFFINS-ROUGE

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): G16, Mr. Speaker.

The Clerk-at-the-Table (Mr. Todd Decker): Order G16, third reading of Bill 16, An Act respecting the Duffins Rouge Agricultural Preserve.

The Speaker (Hon. Michael A. Brown): Minister of Natural Resources?

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I'd like to announce that I will be sharing my time with the member from Pickering-Ajax-Uxbridge, and it's a pleasure to do that. It's also a pleasure for me to stand in my place in the Ontario Legislature today to move third reading of Bill 16, the Duffins Rouge Agricultural Preserve Act, 2005. Bill 16 is part of the government's plan—

The Speaker: Mr. Ramsay has moved third reading of Bill 16, An Act respecting the Duffins Rouge Agricultural Preserve. Minister?

Hon. Mr. Ramsay: Sorry. As someone who is as long in the tooth in this Legislature, I should have known better.

As I said, I will be sharing my time with the member. It is a pleasure to stand in my place and talk about this bill. This is a bill that is very important to the McGuinty government, and I would hope it's important to the opposition parties, as it actually defends an arrangement the previous government had made with regard to the

protection of the Duffins-Rouge Agricultural Preserve, setting it aside permanently for agricultural use.

I believe there is support here, so I won't speak too much to this bill. At the moment there is a snowstorm raging across southern Ontario, and many members want to start to head out to get home for their holidays. So I will keep my—

Mr. Peter Kormos (Niagara Centre): Nobody is going anywhere.

Hon. Mr. Ramsay: OK, but I will keep my remarks brief. As some of the members have said, maybe we're all stuck here. If I am stuck here, then I can go on for the next two hours and talk about this. I suppose that would be fine.

Interjection: I've got a blanket.

Hon. Mr. Ramsay: We did that once before here.

As you know, this legislation preserves 4,700 acres of land in north Pickering. These lands are part of a larger area, close to 40,000 acres, that was expropriated in the 1970s for a proposed airport. The preserved lands have been recognized as prime agricultural areas that qualify for restriction to agricultural, farm-related uses under the region of Durham official plan, the provincial policy statement, the Greenbelt Act and the greenbelt plan.

I did talk about the history of this, how we started in 1999 and where we are today. I think all the members are informed about that, so I will dispense with that part of it. I just want to say that the McGuinty government very firmly believes in the ideal of preserving our natural spaces, be they wooded areas, be they agricultural areas, because once we lose these lands, we lose them forever. It's very important that we act boldly today and ensure that these lands are preserved. Any jurisdiction that cannot feed itself, that cannot produce food, is not going to survive. It's very important that we make a stand in southern Ontario, especially where we have prime agricultural land, and preserve that land. So that's what this legislation does.

It also makes the point that environmental conservation easements need to be protected. When parties, in good faith, talk about protecting land in perpetuity, that perpetuity means forever; it doesn't mean that in five years somebody can come along and get rid of it.

I would like to conclude my remarks there and allow my colleague to further the debate.

Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge): I want to thank the minister for sharing his time with me today, particularly in light of the fact that my view on this particular bill differs with that of the minister and the government. I don't support Bill 16. I voted against Bill 16 when we rose on second reading and I'll be voting against Bill 16 this afternoon.

The available time today is somewhat limited, given the time of year, the nature of the weather and other things, so my comments today are going to be somewhat cursory rather than in depth.

The minister references that he's had some discussion over a period of time in respect to this particular piece of legislation and the land in question. I've had the privilege

to represent the lands in question, both the owners and tenants, for some 24 straight years, and still do, and I feel, in that context, that I come to this particular issue with some authority.

Frankly, neither the current government nor the former government has the right to claim any moral high ground in claiming that this bill or predecessor actions of both governments are fundamentally about saving farmland. They are not. These acts are principally, and have been, about the supply and demand of developable land. The marketplace will dictate that an oversupply of developable land in any given geography will dampen both the demand and the price for any given parcel.

The province owns public land, and those lands are called Seaton. Those lands are adjacent to the privately owned lands which are the subject of this legislation. The Seaton lands are being sold to developers for development purposes, and this sale for development is to facilitate the Oak Ridges moraine acquisition. To secure the highest sale price for public land for development purposes, successive governments, not just ours, have acted to limit the availability of supply by frustrating the ability to consider the adjacent private lands for development purposes.

1550

In my view, the city of Pickering has acted fully within its legal rights in the management of the easements that exist on those lands. The city holds those easements exclusively. As a matter of fact—and I'm not sure what has transpired since October 2003—the only political signature on those easements is mine as the then mayor of the city. No other political body has any legal entitlement to act in respect of those easements.

This file is, and in my view has been for successive governments, about the economics of development, not the ethics of agriculture.

I appreciate the opportunity to make these few remarks today. I remain in opposition to Bill 16 and the actions of our government.

The Speaker: Questions or comments? Questions or comments? All right. The next speaker would be the member for Parry Sound–Muskoka.

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to join the debate this afternoon on Bill 16, to do with the Duffins-Rouge Agricultural Preserve. I did have an opportunity on second reading to speak for a full hour on this and gave a significant amount of history in terms of all the good things Mike Harris did to preserve parklands in this province, including the greatest creation of new parks and protected areas in the history of this province, actually.

Mr. Kormos: Don't put "Mike Harris" and "parkland" in the same sentence.

Mr. Miller: I hear the member from Niagara Centre, who is making some comments.

One of thing that isn't well known is that the government under Mike Harris did create more parklands, with an area the size of Lake Ontario—new and protected areas—and I think he should be commended for it.

But today we're speaking about Bill 16. As I say, I did have an hour to speak about it previously. This bill has support from all three parties and most of the members in this Legislature. It was a big issue in the last election. Certainly, the member from Pickering–Ajax–Uxbridge, who just spoke, has maintained a consistent position. He ran against Janet Ecker in the 2003 election; he won the election. He was not for preserving the agricultural land, and has made that clear again today. In my previous hour, I quoted some news items that noted that the member from Pickering–Ajax–Uxbridge was also significantly supported in terms of donations to his campaign. There were 25 \$1,000 cheques from one specific developer from one specific address, and that's already in Hansard. Janet Ecker was also very clear in supporting preserving this land, and it was an important issue in the last election.

We've had committee hearings on this bill and heard from many interested groups. Most were in favour of preserving the land. The Ministry of Natural Resources did their own presentation on this bill and pointed out that the Duffins-Rouge Agricultural Preserve includes about 4,700 acres of prime agricultural land in north Pickering, and also that in 1999 the regional municipality of Durham, the town of Pickering and the province agreed to a number of measures to enable the sale of previously expropriated Duffins-Rouge Agricultural Preserve lands to the original landowners and tenants. The key point here that I think is very important is that, as a condition of the sale, the purchaser of the land was required to agree to an easement held by the town of Pickering under the Conservation Land Act that would protect the land for agricultural uses in perpetuity. The price of the land—and this is also a key thing, as far as I'm concerned—was based on the value of the land for agricultural purposes. From what we heard in committee, that's probably \$4,000 or \$5,000, instead of \$150,000. That is quite significant, and obviously critical to this point.

We heard lawyers arguing in committee that perpetuity is some finite period of time. I think they were talking of 91 years as being perpetuity. I must admit, that caught me by surprise in committee. I guess lawyers are paid to argue any point, and they're good at it, but I went to the dictionary to see what "perpetuity" means, and it seems to be quite clear, as I thought it was. Here are a few definitions of perpetuity: "The state or quality of being perpetual; the state of having no end; in perpetuity, forever." "Eternal, lasting indefinitely, uninterrupted, frequent, much-repeated; existing or occurring without interruption or end; enduring for all time."

Mr. Rosario Marchese (Trinity–Spadina): It sounds to me like it means "permanent."

Mr. Miller: It sounds fairly permanent to me.

Another dictionary, just in case that one was wrong: "The quality or condition of being perpetual." "The perpetuity of the church was an article of faith." That was Morris L. West. "Time without end, eternity."

"In perpetuity: for an indefinite period of time, forever; the condition of an estate that is limited so as to

be inalienable either perpetually or longer than the period determined by law.”

I think it's fairly clear that it's more than five years. So I think the understanding was that these easements would be forever and that the land would be preserved forever.

I note, when I look back at the Hansard record, that John O'Toole asked a question in the Legislature to then-Minister of Municipal Affairs and Housing David Young. He said:

“Minister, on April 21, 2003, you announced that you had signed a minister's zoning order under the Planning Act to protect the Duffins-Rouge Agricultural Preserve.” I'm not going to read it all.

“Recently it seems that this promise is in doubt. The city of Pickering was starting a growth management study, a study funded by developers, that some worried could lead to the development of this land,” and he goes on in his question.

The minister, in his response, says:

“I didn't think there was any doubt about what was intended in relation to this land. I say to you that this government, the Ernie Eves government, took action to make sure that the promise made by three levels of government was a promise that would be kept.

“The honourable member a moment ago, when asking the question, referred to an agreement that was signed in May 1999 by the town of Pickering, the region of Durham and the province of Ontario. It was an agreement that made clear that this land would remain agricultural forevermore.

“I think the best way to clear up any doubt is to actually quote from the agreement that Mayor Arthurs signed on behalf of Pickering. He said at that time, ‘It is the intention of the parties that the covenants and easements herein shall run with the property in perpetuity.’ It could not be any clearer.”

Mr. O'Toole goes on to say, “Minister, there is no ambiguity in your answer.”

Mr. Young responds again in the supplementary, “The people of Pickering were very clearly promised that the land in question would be protected—not protected for a month or two when it was politically convenient, but protected forevermore.”

I say that the question of how long these easements were to be in place on this land to protect the land for agricultural purposes is very clear. Unfortunately, on March 1, 2005, the city of Pickering unilaterally released the agricultural easements on a sizable portion of the Duffins-Rouge Agricultural Preserve. Of the 3,017 acres sold by the Ontario Realty Corp. with easements, only 1,000 acres still have easements. The land was sold back from the Ontario government, the Ontario Realty Corp., to some of the original landowners, but at \$4,000 to \$5,000 an acre, not at \$150,000 an acre, and it was meant that the land would be saved for agricultural purposes in perpetuity. I think that's very clear.

All three parties, with the exception of a few members, do support this bill, and I will be voting in favour of this bill this afternoon.

The Speaker: Questions and comments? Further debate? The member for Trinity-Spadina.

Applause.

1600

Mr. Marchese: We only have 10 minutes. Thank you very much. Such a good group of Liberals we have here.

A little bit of history: On November 24, 1993, the New Democratic government approved a new Durham regional official plan that included the redesignation of the agricultural preserve lands from “special study area” to “permanent agricultural preserve.” As such, the regional official plan's “permanent agricultural preserve” land use designation applies to the agricultural preserve lands today. The use of lands so designated is restricted to agricultural- and farm-related uses.

In December 1995, the province—that would be the conservator—announced its intention to dispose of the publicly-owned agricultural preserve into private ownership. To accomplish this, in 1996 the Conservative government approached the region with a proposal to use the crown right to facilitate conveyance of the agricultural preserve lands.

The Conservatives had a change of mind in 1999, and therefore local conservationists signed an agreement in 1999 with the provincial government's Ontario Realty Corp., Durham region and the city of Pickering, with the clear expectation that the easements placed on lands in the preserve would be held by the city in perpetuity—and we've already heard a definition by a Conservative member about what “in perpetuity” means. It means for a long, long time, and certainly more than five years.

The leader of the New Democratic Party, Howard Hampton, the member from Kenora-Rainy River, first raised this issue in the House back in March, with our environment critic asking follow-up questions on several occasions in April and May about the Liberal government's failure to uphold the easements in light of the Pickering council and Durham region's decision to remove them.

You heard the former mayor from Pickering saying that he disagrees with the Liberal government. He obviously hopes that this issue will go away and that everything will be forgotten and forgiven, but I've got to tell you that the former mayor of Pickering is unabashed about his support for the town of Pickering doing what it wants. In spite of any signed agreement, the former mayor said, “No. You, Liberal government, have it all wrong.”

What the former mayor is saying, what the city, now present, is saying to Ramsay is: “We can do what we want.” Ramsay said not a word to the member from Pickering, who said to Ramsay, “I disagree with you.” It's amusing to me that Ramsay didn't speak after the member so that he could refute them strongly. He chose to speak in advance so that the former mayor of Pickering could just say what he wants, with the forgiveness of Ramsay to allow him to say whatever it is that he wishes to say.

Interjections.

Mr. Marchese: Mr. Kormos, a legal opinion. Ramsay would know, I think, and the former mayor of Pickering would know that there is a legal opinion by David Estrin, a certified environmental law specialist, who said very much in this regard. He said, "Pickering contravened the Conservation Land Act," and Ramsay knows it.

Mr. Kormos: Does Arthurs know what he's talking about?

Mr. Marchese: I don't know, because he didn't speak to it. He said, "The city breached its fiduciary duties to keep the easements registered and to enforce them..."

"The city committed a breach of trust," and it goes on to define each of these points. "The city breached its duty of fairness"—

Interjection.

Mr. Marchese: Sorry, Ramsay, what is it you are saying?

Hon. Mr. Ramsay: We're fixing it. Let's get on with it.

Mr. Marchese: I see. The Liberals love it. After pressure to fix something, they say, "OK. Now we've fixed it. Let's move on and let's forget about the past." Ramsay breaks a whole lot of promises, and then he says "OK, but we fixed it. Now let's move on."

Mr. Kormos: Fine. Let's sit tonight.

Mr. Marchese: No, Ramsay doesn't want to sit tonight, obviously.

Ramsay, listen to this: "The city breached its duty of fairness and offended the principles of natural justice in unilaterally terminating the easements." Further, "The city's actions contravened the Planning Act and the Greenbelt Act," yet you still have the former mayor of Pickering—I don't know if you can see him. Cameras, can you see him? He's over there. He's saying, "No. Ramsay is wrong, the Liberal government is wrong," and he is right. His city councillors are still right.

I've got to tell you that we were afraid the Liberals wouldn't deal with this issue. We feared that the McGuinty Liberals, whose close ties with Toronto land developers are very tight—witness the \$10,000 kind of dinner that was held with a lot of those developers. I would say that's a close relationship. We're not talking about \$25 a plate, you know, for some cheese and some chicken. But \$10,000—man, it can buy you a whole lot of influence, right? So we were very nervous. I would say that back in March, when Durham council voted to remove the easements—Ramsay, listen to this—denial was the McGuinty government's position with respect to the Duffins-Rouge lands.

In response to our leader calling for government action to maintain the easements on the Duffins-Rouge Agricultural Preserve, the Minister of Municipal Affairs and Housing stated the following: "Let me repeat once again: The lands that are in the agricultural preserve in Pickering are part of the greenbelt." He declared, "Whatever the city or town of Pickering does by way of resolution removing some designation on those lands is up to the town of Pickering. But quite frankly, the lands are still part of the greenbelt."

The minister then went on to say, "I'm very pleased to tell this member and his caucus and everyone in this room and outside that we do have a permanent greenbelt; that the legislation that was passed is stronger than any other legislation we've ever had in this province." And he goes on and on, poor man, to say, what else, God knows. But he leads people to believe that the law that had been passed by this government, connected to the greenbelt, was strong enough to be able to preserve the Duffins-Rouge Agricultural Preserve. Clearly, he was wrong.

Over and over again, our colleague Marilyn Churley and our leader, Howard Hampton, kept on asking questions to various ministers to get some appropriate answers: Are we going to protect easements? Each time the minister would say, "No, we've got a strong law now. We're doing it."

I'm glad, very pleased that something has changed, because we now have Bill 16, which finally protects the Duffins-Rouge Agricultural Preserve in perpetuity, which is what we wanted, which is what the Tories, God bless them, in 1999, after changing their mind, did, and which now has the support of the Liberals after a whole lot of pressing. The Liberals do nothing except when they are pressed to the wall. Only then, after so much squeezing, did they say, "OK, now we understand it a little more clearly."

That's the only thing, I believe, that David Ramsay understands. So you need strong New Democrats who keep on asking questions. You need environmentalists, who in that area of Durham pressed not only city councillors but pressed the Liberal government to introduce a bill that would protect those lands for agricultural purposes. In combination with environmentalists and people who were nervous about what was happening there, and with New Democrats pressing Liberals, only with that pressure do we finally have a bill that even Jim Bradley can say, "OK, now we support it. OK, you pressed us a little bit."

So we're there. I congratulate all those who petitioned us, who squeezed the Liberals as best as they possibly can be squeezed, who pressed them to do the right thing, and yes, it's better late than never, but we are pleased we now have a law that protects the Duffins-Rouge lands for agricultural purposes. I believe that this is a good day for all.

1610

The Acting Speaker (Mr. Shafiq Qaadri): I now call for questions and comments. Seeing none, further debate?

Mr. Ramsay has moved third reading of Bill 16. Is it the pleasure of the House that the motion carry?

All those in favour?

All those opposed?

In my opinion, the motion carries.

Be it resolved that the bill do now pass and be entitled as in the motion.

SAFE STREETS STATUTE LAW
AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS
EN CE QUI CONCERNE
LA SÉCURITÉ DANS LES RUES

Mr. Lalonde moved third reading of the following bill:

Bill 58, An Act to amend the Safe Streets Act, 1999 and the Highway Traffic Act to recognize the fundraising activities of legitimate charities and non-profit organizations / Projet de loi 58, Loi modifiant la Loi de 1999 sur la sécurité dans les rues et le Code de la route pour reconnaître les activités de financement des organismes de bienfaisance légitimes et organismes sans but lucratif.

The Acting Speaker (Mr. Shafiq Qaadri): The member for Glengarry–Prescott–Russell has the floor.

Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell): This bill will allow fundraising activities that meet the following conditions:

“1. They are conducted by a charitable organization registered under the Income Tax Act (Canada) on a roadway where the maximum speed limit is 50 kilometres per hour.

“2. They are permitted by a bylaw of the municipality in which the activities are conducted.”

I want to thank members of the three parties for their support and their comprehension of this very important bill. Special thanks to the member for Essex, Bruce Crozier, for the work he did on this bill, and to the member for Cambridge, Gerry Martiniuk, for the amendments.

The Ontario firefighters' association will be able to continue their annual fund drive for Muscular Dystrophy Canada.

I would like to take this opportunity to introduce the people we have in the east gallery who are very supportive of this bill: Kelly Gray, from Muscular Dystrophy Canada; the firefighters, Greg Knight, Kevin Ashfield, Chris Bardecki, Cindy George, Brian George, Richard Nault, Richard Metzloff and Cindy Haliday. Welcome to the Legislature. Also, the Boy Scouts association will continue improving their summer program, just to name a few.

If passed, it will be one of the greatest Christmas gifts that all non-profit organizations will be receiving at this time of year.

Cette loi permettrait de reconnaître des activités de financement des organismes de bienfaisance sur les routes municipales. Cela fait longtemps qu'ils rencontrent les conditions suivantes :

« 1. Elles sont menées par une oeuvre de bienfaisance enregistrée en vertu de la Loi de l'impôt sur le revenu (Canada) sur une chaussée où la vitesse maximale est de 50 kilomètres à l'heure;

« 2. Elles sont permises par un règlement municipal de la municipalité dans laquelle elles sont menées. »

Je profite de l'occasion pour remercier encore une fois les membres des trois partis pour leur appui de ce projet de très grande importance.

The Speaker (Hon. Michael A. Brown): Further debate?

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to join the debate this afternoon and to congratulate the member from Glengarry–Prescott–Russell for bringing forward this private member's bill, Bill 58.

I also would like to recognize the firefighters and those representing Muscular Dystrophy Canada who are here in the Legislature today. I won't go through the list of names, but welcome to the Legislature this afternoon.

I would like to congratulate the member from Glengarry–Prescott–Russell, Jean-Marc Lalonde, for bringing this bill forward. All three parties have worked together for this bill. This bill, for those who aren't aware, “amends the Safe Streets Act, 1999 to provide that the prohibition in section 3(2) of the act does not apply to fundraising activities that are conducted by registered charitable organizations on roadways where the speed limit is not more than 50 kilometres per hour, as long as these activities are permitted by municipal bylaws.”

Firefighters are one of the groups that will use this to their benefit for fundraising activities, and I think we all agree that that should be happening for the benefit of our many communities.

We look forward to this bill passing this afternoon. It will be a nice Christmas gift for the member from Glengarry–Prescott–Russell. He is also known as the coach of the Legiskaters hockey team. I have to say that his record is pretty bad, though. We play about one game every two years. We had our first game this past Sunday against the security guards and kept our record of always losing. I think they stopped scoring at about 4-1. I think he'd better start a conditioning program for the MPPs around this place, because we're all in pretty bad shape sitting around in these cushy chairs so much of the day.

I look forward to supporting this bill. I'm pleased to see it coming forward, and I think it is a positive bill.

Mr. Peter Kormos (Niagara Centre): I regret that I have but 20 minutes to deal with this bill, and I will do my best to be as concise as possible.

I do want, though, to join the Speaker in his praise of the pages, the young women and men who have been serving us over the course of last several weeks. This group of pages has been a delightful group of incredibly bright, talented young people, and I know that everybody wishes them well. There are members of this Legislative Assembly who served as pages, and I want these pages to be cognizant of that. I'm sure I speak for everybody in the chamber when I encourage pages who are here, and who will be joining us in the future, to reflect on elected positions as options in their own careers. I think the public service would be in good hands were these pages, in the next 10 and 15 years, to be sitting in some of these very seats.

The government House leader might be interested in the fact that I took a look at the history of the so-called Safe Streets Act, 1999, it's course through this legislative chamber. New Democrats fought it tooth and nail, the whole kit and caboodle. Even today, the bill hasn't elim-

inated panhandlers down at the end of University Avenue. Mr. Flynn, who has to drive home to Oakville in rush hour in a few minutes, as he is driving down University Avenue and trying to turn right on to Lakeshore to get on to the Gardener, is still going to be accosted, if that's not too harsh a word, by panhandlers.

I quit smoking, so I keep loonies and toonies in the ashtray. The problem is, before this stupid Safe Streets Act, at least I'd get my windows squeegeed. Now I accommodate the panhandler but he or she doesn't carry a squeegee because it is a bustable offence. To the people who advocated and supported this bill back in 1999, what were you thinking? I now have to get on to the Gardener, like Mr. Flynn, with a mucky windshield, with nobody at the foot of University Avenue to do a quick squeegee.

I would have hoped that the Liberals would advocate the repeal of the whole Safe Streets Act. It was a phony bill to begin with. It was a stupid bit of legislation, and it has punished poor people as well as good folks in all our communities, firefighters among them, who have traditional fundraising activities along the roadside.

1620

In reference to the course of this bill through the Legislature, we fought it tooth and nail—the opposition, all the opposition. It was only by a time allocation motion—a closure motion, Mr. Bradley—that the government was able to force this to second reading. It was a recorded vote on the time allocation motion, on the closure motion. This was at a point in time when Mr. Bradley was prepared to stand with me in opposing closure motions and Dwight Duncan was prepared to stand with me in opposition to closure motions—Mr. Bradley and Mr. Duncan both knowing full well that closure motions are not good for democracy, not good for Parliament, and they're not the way you develop legislation and policy. That was the Mr. Bradley I knew then, and I wanted to remind him of that time in his life and career when he opposed time allocation motions. I'm looking forward to the next opportunity that Mr. Bradley will have to stand up with me in this Legislature, voting against a time allocation motion, just like we did back then in 1999.

It is incredible how much money has been lost to any number of organizations as a result of the Safe Streets Act. We encourage this amendment, as we have from the get-go. Obviously, Liberals and New Democrats were pointing out to the government as emphatically as possible during the course of committee hearings what this bill would do to fundraising activities.

So the amendment is one we're going to support. I want to tell you, though—both the people who are watching and listening and the folks here—that I personally am concerned about the wording of the bill. And I don't fault the sponsor of the bill for that; it's the bureaucratic level, the lawyers, who got—

Mr. Bob Delaney (Mississauga West): Let's go home.

Mr. Kormos: There's a Liberal behind me heckling, saying he wants to go home. The Liberals simply don't

want to work. I can't believe it. Here we are, it's only 4:25 in the afternoon, and Bob Delaney from Mississauga West is whining about how he wants to go home already. For Pete's sakes, Mr. Delaney, an eight-hour workday for once in your life wouldn't hurt you.

So here we are, supporting this amendment. But I indicate, I'm concerned because it talks about activities “conducted by a charitable organization registered....” In referring to that, I'm confident that I speak for everyone here when we expect that phrase to be interpreted very broadly.

Mr. David Zimmer (Willowdale): Oh, broadly.

Mr. Kormos: And if Mr. Zimmer wants to dispute that, let him stand alone and say so.

We interpret that language very broadly. That is to say that when firefighters or other groups of people are out with the boot campaign—you know, the boot on the roadside—they are acting as agents of the charitable organization for whom they are raising money. So I have concern about the language, and I want to indicate that we are prepared to readdress this promptly should there be people out there—authorities, including judicial authorities—who don't interpret this as broadly as we want it to be interpreted.

Should this bill find itself to be problematic in terms of judicial interpretation—in other words, it's only the charitable organization itself that can do the soliciting—then I want a commitment from the government, and I'm sure I have it. Just nod if you agree, Mr. Lalonde, that we can readdress this quickly by amending the bill yet one more time through this amendment.

I want to tell you that we have firefighters here today, firefighters I know, not just from down in Niagara—from St. Catharines, Welland, Pelham, Thorold and Port Colborne—but firefighters from across the province. They're but one of the groups of people who do fundraising on an annual basis. Labour day weekend, they're always out there. They're going to be out there again just before Christmastime, in this season as well, as I understand it. These firefighters are just tremendous assets to all of our communities. They're not only incredibly brave women and men, but you also see them coaching the hockey teams and the baseball teams, doing the fundraising, being out there supporting their neighbours and making our communities safer places by virtue of their professional lives, and far better places to live in because of their incredible benevolence.

I also want to underscore how important it is for people, even in hard times—and it's hard times; we've talked often about the 52,000 jobs lost in the last short while here in the province of Ontario—to throw that loonie or that toonie, or more if they can, into that boot when the firefighter stops you on the highway. It's also incredibly important that city councils respond with the appropriate bylaw and that city councillors don't get deluded by bogus arguments. The one argument that's used perpetually is, “Oh, our insurance won't cover it.” Oh, give me a break. That's a load of hooey.

Mr. Zimmer: Unparliamentary language.

Mr. Kormos: It's a load of hooley, Mr. Zimmer, and you know exactly what hooley is. It's what you've got all over your shoes when you leave this chamber—that's hooley. You step in it—that's hooley. It's a load of hooley for city councillors to be given the bogus argument that "the insurance won't permit us to do this." There is a need, I believe, for a sample bylaw to be developed so that communities can adopt a uniform bylaw that makes it easy, clean and effective.

I am so sad that my time is coming to an end and I won't be able to speak to this bill much longer. I'm looking forward to the balance of the work we're going to be doing this afternoon, because I'm trusting, of course, that the Liberal government will want to work a full workday through to 6 o'clock. So I'm looking forward to the next matters that are going to be called. I look forward to supporting this legislation and enthusiastically look forward to the balance of the debate over the course of the balance of the day. I don't know whether the government House leader is going to have an evening sitting this evening, because, of course, we're prepared to sit this evening. Again, I would find it strange that when most working people—look, most working people work up until Christmas Eve; they work December 24. So I'd find it most disturbing that, in view of the fact that this House is going to rise today, we not put in a full day through to 9:30 this evening. I'm looking forward to the other matters that will be called, I'm sure, by the House leader.

The Speaker: Further debate?

Mr. Lalonde has moved third reading of Bill 58. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, His Honour doth await.

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

1630

ROYAL ASSENT

SANCTION ROYALE

Hon. James K. Bartleman (Lieutenant Governor): Pray be seated.

The Deputy Clerk (Ms. Deborah Deller): The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 16, An Act respecting the Duffins Rouge Agricultural Preserve / *Projet de loi 16, Loi concernant la Réserve agricole de Duffins-Rouge.*

Bill 18, An Act to implement 2005 Budget measures and amend various Acts / *Projet de loi 18, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2005 et modifiant diverses lois.*

Bill 58, An Act to amend the Safe Streets Act, 1999 and the Highway Traffic Act to recognize the fundraising activities of registered charities / *Projet de loi 58, Loi modifiant la Loi de 1999 sur la sécurité dans les rues et le Code de la route pour reconnaître les activités de financement des organismes de bienfaisance enregistrés.*

Bill 128, An Act to amend various Acts with respect to enforcement powers, penalties and the management of property forfeited, or that may be forfeited, to the Crown in right of Ontario as a result of organized crime, marijuana growing and other unlawful activities / *Projet de loi 128, Loi modifiant diverses lois en ce qui concerne les pouvoirs d'exécution, les pénalités et l'administration des biens confisqués ou pouvant être confisqués au profit de la Couronne du chef de l'Ontario par suite d'activités de crime organisé et de culture de marijuana ainsi que d'autres activités illégales.*

Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999 / *Projet de loi 159, Loi révisant la Loi sur les enquêteurs privés et les gardiens et apportant une modification corrélative à la Loi de 1999 sur le Tribunal d'appel en matière de permis.*

Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005 / *Projet de loi 214, Loi modifiant la Loi électorale, la Loi sur le financement des élections et la Loi sur l'Assemblée législative, abrogeant la Loi de 1996 sur la représentation électorale et édictant la Loi de 2005 sur la représentation électorale.*

Bill Pr13, An Act respecting The University of St. Michael's College.

Bill Pr17, An Act respecting Ronald McDonald House (London).

Bill Pr20, An Act to revive 1376037 Ontario Inc.

Bill Pr21, An Act to incorporate the Pontifical Institute of Mediaeval Studies.

Bill Pr23, An Act to revive Sidoff's Cleaners & Tailors Limited.

The Clerk of the Assembly (Mr. Claude L. DesRosiers): In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne ces projets de loi.

His Honour was then pleased to retire.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I move adjournment of the House.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. Carried.

This House stands adjourned until 1:30 of the clock, February 13, 2006.

The House adjourned at 1637.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Arnott, Ted (PC)	Waterloo–Wellington	First Deputy Chair of the committee of the whole House / Premier Vice-Président du comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Ajax–Uxbridge	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Balkissoon, Bas (L)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk–Brant	
Bartolucci, Hon. / L'hon. Rick (L)	Sudbury	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Bentley, Hon. / L'hon. Christopher (L)	London West / London-Ouest	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	Deputy government whip / whip adjoint du gouvernement
Bisson, Gilles (ND)	Timmins–James Bay / Timmins-Baie James	Chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Bountrogianni, Hon. / L'hon. Marie (L)	Hamilton Mountain	Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Bradley, Hon. / L'hon. James J. (L)	St. Catharines	Minister of Tourism, minister responsible for seniors, Government House Leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement
Brotten, Hon. / L'hon. Laurel C. (L)	Etobicoke–Lakeshore	Minister of the Environment / ministre de l'Environnement
Brown, Hon. / L'hon. Michael A. (L)	Algoma–Manitoulin	Speaker / Président
Brownell, Jim (L)	Stormont–Dundas– Charlottenburgh	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Bryant, Hon. / L'hon. Michael (L)	St. Paul's	Attorney General / procureur général
Cansfield, Hon. / L'hon. Donna H. (L)	Etobicoke Centre / Etobicoke-Centre	Minister of Energy / ministre de l'Énergie
Caplan, Hon. / L'hon. David (L)	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal, Deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement
Chambers, Hon. / L'hon. Mary Anne V. (L)	Scarborough East / Scarborough-Est	Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse
Chudleigh, Ted (PC)	Halton	Deputy opposition whip / whip adjoint de l'opposition
Colle, Hon. / L'hon. Mike (L)	Eglinton–Lawrence	Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration
Cordiano, Hon. / L'hon. Joseph (L)	York South–Weston / York-Sud-Weston	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Craitor, Kim (L)	Niagara Falls	
Crozier, Bruce (L)	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice-Président, Président du comité plénier de l'Assemblée législative
Delaney, Bob (L)	Mississauga West / Mississauga-Ouest	
Dhillon, Vic (L)	Brampton West–Mississauga / Brampton-Ouest–Mississauga	
Di Cocco, Caroline (L)	Samia–Lambton	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Dombrowsky, Hon. / L'hon. Leona (L)	Hastings–Frontenac–Lennox and Addington	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Brad (L)	Scarborough Centre / Scarborough-Centre	Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Duncan, Hon. / L'hon. Dwight (L)	Windsor–St. Clair	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Flynn, Kevin Daniel (L)	Oakville	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Fonseca, Peter (L)	Mississauga East / Mississauga-Est	Parliamentary assistant to the Minister of Health Promotion / adjoint parlementaire au ministre de la Promotion de la santé
Gerretsen, Hon. / L'hon. John (L)	Kingston and the Islands / Kingston et les îles	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Gravelle, Michael (L)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Horwath, Andrea (ND)	Hamilton East / Hamilton-Est	
Hoy, Pat (L)	Chatham–Kent Essex	
Hudak, Tim (PC)	Erie–Lincoln	
Jackson, Cameron (PC)	Burlington	
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Kwinter, Hon. / L'hon. Monte (L)	York Centre / York-Centre	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Leal, Jeff (L)	Peterborough	Parliamentary assistant to the Minister of Energy / adjoint parlementaire à la ministre de l'Énergie
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McGuinty, Hon. / L'hon. Dalton (L)	Ottawa South / Ottawa-Sud	Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation

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Meilleur, Hon. / L'hon. Madeleine (L)	Ottawa–Vanier	Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones
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Mossop, Jennifer F. (L)	Stoney Creek	Parliamentary assistant to the Minister of Culture and the minister responsible for francophone affairs / adjointe parlementaire à la ministre de la Culture et ministre déléguée aux Affaires francophones
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Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Racco, Mario G. (L)	Thornhill	
Ramal, Khalil (L)	London–Fanshawe	Parliamentary assistant to the Minister of Citizenship and Immigration / adjoint parlementaire au ministre des Affaires civiques et de l'Immigration
Ramsay, Hon. / L'hon. David (L)	Timiskaming–Cochrane	Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Rinaldi, Lou (L)	Northumberland	Parliamentary assistant to the Minister of Public Infrastructure Renewal / adjoint parlementaire au ministre du Renouvellement de l'infrastructure publique
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House leader / leader parlementaire de l'opposition
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph–Wellington	Parliamentary assistant to the Minister of Community Safety and Correctional Services / adjointe parlementaire au ministre de la Sécurité communautaire et des Services correctionnels
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Smith, Monique M. (L)	Nipissing	Parliamentary assistant to the Minister of Health and Long-Term Care / adjointe parlementaire au ministre de la Santé et des Soins de longue durée
Smitherman, Hon. / L'hon. George (L)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
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Sterling, Norman W. (PC)	Lanark–Carleton	
Takhar, Hon. / L'hon. Harinder S. (L)	Mississauga Centre / Mississauga-Centre	Minister of Transportation / ministre des Transports
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Watson, Hon. / L'hon. Jim (L)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Health Promotion / ministre de la Promotion de la santé
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Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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**Legislative Assembly
of Ontario**

Second Session, 38th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 13 February 2006

Lundi 13 février 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 13 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 13 février 2006

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

SAM CICCOLINI

Mr. Frank Klees (Oak Ridges): I'm pleased to rise today to congratulate Mr. Sam Ciccolini on being named a member of the prestigious Order of Canada. This deserving designation is in addition to his many recognition awards for service to his community and country, including the Order of Ontario, with which he was honoured in 1999.

The president of Masters Insurance, a company he started with his brother Frank in 1968, Sam Ciccolini serves on boards and committees representing hospitals, disaster relief efforts, churches, municipal initiatives, sports groups and social agencies.

Mr. Ciccolini credits his success in life to the hard work ethic his family brought to Canada. He was 12 years old in 1956 when he, his mother and four brothers landed at New York's Ellis Island before travelling to Toronto to join his father, who came to Canada three years earlier.

He and his younger brother Max soon found work delivering newspapers in the early morning before heading off to school. At night, the brothers worked at a pharmacy. When asked if it was tough to hold down two jobs and go to school, Sam's response is simply, "We had no choice. You did it; that's all. It really gave us a good upbringing, a solid foundation."

It is on that solid foundation that Sam Ciccolini has built his exemplary life of service to his country. Mr. Ciccolini has said he was honoured and humbled to be named a member of the Order of Canada. We, his friends and colleagues, would say to him that this honour is well-deserved and rightly bestowed.

OTTAWA DAY

Mr. Phil McNeely (Ottawa–Orléans): I rise in the House today to thank my esteemed colleague Minister Watson and his incredible staff for organizing what was, in my opinion, the best event of the year at Queen's Park.

Last Monday I had the privilege of attending Ottawa Day at Queen's Park. On February 6, a delegation of the leaders of the Ottawa business community came to

Toronto to speak with cabinet members about Ottawa's thriving economy and to ask our ministers about the issues that concern the people of Ottawa. The delegation included his worship Mayor Chiarelli, representatives from Ottawa Tourism, the Ottawa Centre for Research and Innovation, the Ottawa Life Sciences Council as well as the presidents of three institutes of higher learning in our city.

The business community had quite an extensive delegation as well. To name a few of them, we met with Gail Logan, the president of the Ottawa Chamber of Commerce; Tom MacWilliam, the president of the Eastern Ottawa Chamber of Commerce; and Cyril Leeder, chief operating officer of Scotiabank Place and the Ottawa Senators—the best hockey team in the world, as you know.

I thought that Ottawa Day was a huge success and was a tremendous opportunity for the leaders of our great city to come to Toronto to meet the leaders of our great province. The Premier, Minister Bentley, Minister Bradley and Minister Dombrowsky devoted a significant amount of their time to meet with members of the delegation in small breakout groups to talk about issues that affect Ottawa today; namely, in the fields of innovation, post-secondary education, tourism and agriculture. I would like to thank all of the cabinet members, Minister Watson's staff in particular, and all of the delegates from Ottawa who helped make this day a true success.

ASSISTANCE TO FARMERS

Mr. Toby Barrett (Haldimand–Norfolk–Brant): It was less than a year ago that this Legislature welcomed thousands of farmers to the doorstep, and now forces are gathering again for what I count as the seventh in a series of large farm rallies held over the past year. The rural rallies and the lobbying have every reason to continue. Farm protests continue because this government refuses to listen. Cash crops, beef, tobacco and horticulture all continue to wait for action on proposals tabled with the minister months ago. Deer, elk and dairy heifer farmers also need help.

Don't pass the buck. Farmers can't wait for yet another federal election. It was during the October estimates meetings that Ag Minister Dombrowsky acknowledged that, "CAIS has not worked well for grains and oilseeds." That's why we didn't sign it.

That quote was last October, five months ago, and still no action to fix the problem. There has been no unilateral

action on the Ontario government's part. The McGuinty Liberals continue to turn their back on farmers and rural Ontario. One year, seven tractor rallies and zero action: Quite simply, for farmers and rural Ontario it just doesn't add up. I do encourage all legislators here today and their staff, and I encourage ministry staff, to meet with farmers tomorrow.

BLACK HISTORY MONTH

Ms. Andrea Horwath (Hamilton East): Black History Month in the city of Hamilton is in February, and it's a very important and impressive occasion every year. At our community's annual John C. Holland awards dinner, we celebrate the best of the best. We learn of the incredible achievements that the people of African Canadian heritage contribute as volunteers, academics and luminaries from business and the arts.

As a member from Hamilton who is extremely supportive and proud of Black History Month, I have been concerned to hear some people suggesting that maybe we shouldn't commemorate such a special month anymore. They say, "Teach black history in schools and you won't need to mark or celebrate a designated month."

I believe that Black History Month, first designated in Canada by the federal government 10 years ago, should continue as a strong Canadian tradition for all time. African Canadians have a heritage in this country spanning more than 300 years. They explored, built, worked for and served Canada in the face of incredible barriers, not the least of which was racism. By all means, let's bring forward a curriculum that teaches black history, but let's not lose the advantage that Black History Month presents us to honour our incredible black achievers and role models. They represent excellence in all the various disciplines, people like the local recipients of our John C. Holland award on February 4: Nancy Di Gregorio, Evelyn and Denrick Musgrave, Valan Sarjeant and Winston Tinglin, and youth recipients Stephanie Laryea, Samia Omar, Tarryn O'Sullivan and Christine Oluwale-Aina. We congratulate them.

Black History Month is an event that should be here to stay. It's an opportunity for all of us to make a strong statement about the valued contribution of all of the black cultures to the broader Canadian mosaic. I invite everyone in Hamilton to celebrate the great Black History Month activities that our city has to offer.

WORKPLACE HEALTH AND SAFETY

Mrs. Carol Mitchell (Huron-Bruce): On January 20, at the new Bruce County Museum and Cultural Centre in Southampton, members of the Saugeen Shores Chamber of Commerce enjoyed a presentation by Kevin Flynn, the member from Oakville and the parliamentary assistant to the Minister of Labour. The member was on a province-wide tour promoting workplace health and safety.

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I can tell you that there was a great deal of interest in this subject. The CEO of Bruce Power, Duncan Hawthorne, also took time from his numerous responsibilities and spoke about the importance of workplace health and safety as well, and also about young people starting their first jobs. The message that safety must be a part of the workplace culture, and that a healthy and safe working environment leads to success, was stressed.

The government has set an ambitious but achievable goal of reducing workplace injuries by 20% by 2008. I am pleased that this government recognizes the importance of this issue. By supporting workplace health and safety, we are building strong communities in the province of Ontario.

PLANT CLOSURE

Mr. Ted Arnott (Waterloo-Wellington): The BF Goodrich tire factory, located in the Kitchener part of Waterloo-Wellington, announced 11 days ago that it will close its doors this summer; 1,100 jobs are being lost as a result of the company's decision. I want to say to all the BF Goodrich employees and their families that all in our community share your disappointment. We are behind you, and we want to do whatever we can to help. My thoughts are also on the negative impact this will have on our local economy. Even though Waterloo region is home to one of the most dynamic and thriving local economies in the whole country, the loss of 1,100 jobs is a massive blow.

The same day that I received the news about the closure of the BF Goodrich tire plant, I spoke with Wayne Samuelson, who used to work there and now, of course, is president of the Ontario Federation of Labour, to discuss the situation. What employees and their families need is a signal that there is hope that well-paying jobs will be created in this province to replace the ones that have been lost. What they see instead is Ontario's manufacturing jobs disappearing in droves.

Statistics Canada recently reported that 145,000 Canadian manufacturing jobs disappeared in the last year. We know that most of these losses have occurred in Ontario, because we are still the main industrial engine of the country. An incredible 33,000 jobs in Ontario were lost in the month of January alone.

Last May, I introduced a resolution in this House calling for a public discussion of the economic competitiveness of Ontario's manufacturing industries, which would lead to a jobs action plan. My resolution was supported by a number of industry groups. The Ontario government needs to take immediate action and begin the work to restore hope and opportunity in this province and enact my resolution.

YOUTH SERVICES

Ms. Kathleen O. Wynne (Don Valley West): Yesterday, in the heart of Thorncliffe Park, Premier McGuinty

announced a new \$15-million youth challenge fund, which will create opportunities for young people who are at risk of making the wrong choices. This announcement is one part of our government's larger plan to revitalize communities, keep kids in school and prevent violence before it begins.

In Don Valley West, we've established a community safety round table that is working on the kind of local initiatives that we believe are needed to support youth engagement, youth employment and community mobilization. I'd like to recognize some of the community members involved in that initiative: Mr. Ali Baig, Mr. Abdul Madhani, Mr. David Lemire, Mr. Abdul Ingar and Mr. Mohammed Dahnani, who are here in the gallery with us today.

Over 200 people from Thorncliffe, Flemingdon Park and from across the riding of Don Valley West joined the Premier, Coach Mike "Pinball" Clemons, provincial ministers and MPPs to challenge communities to come together to create programs and initiatives that will allow youth to realize their potential. As the Premier said, "If we give our young people the right opportunities, they will make the right choices." This fund is about creating opportunity and community safety from the ground up by providing local support for youth where it matters most: in our neighbourhoods.

The neighbourhoods of Don Valley West are unique, but they share the desire of communities across this province for opportunity for the children and youth living in them. We look forward to working with the new board of the youth challenge fund to make this province a place where every child can achieve his or her potential.

LOCAL HEALTH INTEGRATION NETWORKS

Mr. Brad Duguid (Scarborough Centre): I rise today to highlight the McGuinty government's progress in health care. I'd like to highlight the progress we've made through the establishment of local health integration networks.

When we came to office, we knew that the health care system was in need of reform. The Tory government's slash-and-burn approach left Ontario with a health care system in disarray. They closed 28 hospitals, fired nurses and fired doctors.

We've taken a different approach: investing in community-based health care. We know that health care is best planned, coordinated and funded when it is integrated with local communities. Minister Smitherman, who is here with us today, knows that Ontario communities are in the best position to determine our local health needs and priorities.

That's what LHINs are all about: delivering more responsible, accountable, transparent health care. This kind of progressive policy allows us to deliver health services more efficiently, which in turn will help ensure there is money available to invest in the future of health care.

Although there is always more to be done, this kind of progress reflects the hard work, determination and progressive thinking that the McGuinty government has brought to the health of Ontarians. This government has a mandate to transform our health care system. We're determined to succeed, and LHINs will be an important step forward in accomplishing that goal.

ECONOMIC DEVELOPMENT IN CORNWALL

Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh): In early January, the Leader of the Opposition paid a visit to Cornwall, a city facing some tough economic times due to job losses. He met briefly with city officials, suggesting that the current government has not helped the city. Cornwall mayor Phil Poirier thanked the member, who for the moment, is representing Dufferin-Peel-Wellington-Grey, for his interest, and then indicated that the McGuinty government has in fact taken a number of steps to assist the city. These steps include the provision of job counselling and re-employment services for the displaced Domtar employees and funding for a coordinator to manage community support systems. The Minister of Economic Development and Trade is working with the community to develop a competitive economic development strategy.

This work started back in the summer of 2005, when Minister Cordiano came to my riding for a round table meeting with municipal and business leaders. It would have been laughable had the esteemed member criticized this government's health care assistance for the city if the bitter taste of false promises from the last Tory government were not so fresh in the memory of Cornwallites.

The McGuinty government has a real plan based on real, achievable timelines to give the city one of the best health care infrastructures in the province. Construction will begin shortly on a new community health centre as well as on the redevelopment project at the St. Joseph's continuing care site, where the shovel was recently put in the ground to start construction. A planning grant for the main hospital project has already been announced, as an early consolidation project.

I am proud of what our government has done for Cornwall, and I shall continue to work with Premier McGuinty on a plan for the city.

REPORT, INTEGRITY COMMISSIONER

The Speaker (Hon. Michael A. Brown): I beg to inform the House that on January 4, 2006, the report of the Integrity Commissioner responding to the request by John Tory, leader of the official opposition, for the Integrity Commissioner's opinion on whether the Honourable Harinder Takhar, Minister of Transportation, had breached the Members' Integrity Act or parliamentary convention, was tabled.

ANNUAL REPORT, CHIEF MEDICAL OFFICER OF HEALTH

The Speaker (Hon. Michael A. Brown): On January 17, 2006, the 2005 annual report to the Legislative Assembly of the chief medical officer of health was tabled.

BOARD OF INTERNAL ECONOMY

The Speaker (Hon. Michael A. Brown): I beg to inform the House that I have laid upon the table a copy of the order in council appointing Robert Runciman, MPP, as a commissioner to the Board of Internal Economy, appointed by the caucus of the official opposition in place of Elizabeth Witmer, MPP.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mrs. Linda Jeffrey (Brampton Centre): I beg leave to present a report from the standing committee on general government and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access / *Projet de loi 27, Loi modifiant la Loi de 1991 sur l'arbitrage, la Loi sur les services à l'enfance et à la famille et la Loi sur le droit de la famille en ce qui concerne l'arbitrage familial et des questions connexes et modifiant la Loi portant réforme du droit de l'enfance en ce qui concerne les questions que doit prendre en considération le tribunal qui traite des requêtes en vue d'obtenir la garde et le droit de visite.*

The Speaker (Hon. Michael A. Brown): Shall the report be received and adopted? Agreed? Agreed.

The bill is therefore ordered for third reading.

Mrs. Jeffrey: I beg leave to present a report from the standing committee on general government and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill as amended:

Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act / *Projet de loi 206, Loi révisant la Loi sur le régime de retraite des employés municipaux de l'Ontario.*

The Speaker: Shall the report be received and adopted?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.
The division bells rang from 1350 to 1355.

The Speaker: All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Duguid, Brad	Peters, Steve
Balkissoon, Bas	Duncan, Dwight	Phillips, Gerry
Bartolucci, Rick	Flynn, Kevin Daniel	Pupatello, Sandra
Bentley, Christopher	Fonseca, Peter	Racco, Mario G.
Berardinetti, Lorenzo	Gerretsen, John	Ramal, Khalil
Bountrogianni, Marie	Hoy, Pat	Ramsay, David
Bradley, James J.	Jeffrey, Linda	Rinaldi, Lou
Broten, Laurel C.	Kular, Kuldip	Sandals, Liz
Brownell, Jim	Kwinter, Monte	Sergio, Mario
Bryant, Michael	Levac, Dave	Smith, Monique
Cansfield, Donna H.	Marsales, Judy	Smitherman, George
Caplan, David	Matthews, Deborah	Takhar, Harinder S.
Chambers, Mary Anne V.	Mauro, Bill	Van Bommel, Maria
Colle, Mike	McMeekin, Ted	Watson, Jim
Cordiano, Joseph	McNeely, Phil	Wilkinson, John
Craitor, Kim	Meilleur, Madeleine	Wong, Tony C.
Crozier, Bruce	Millroy, John	Wynne, Kathleen O.
Delaney, Bob	Mitchell, Carol	Zimmer, David
Dombrowsky, Leona	Patten, Richard	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Arnott, Ted	Kormos, Peter	Prue, Michael
Barrett, Toby	Marchese, Rosario	Runciman, Robert W.
Bisson, Gilles	Martel, Shelley	Scott, Laurie
Hardeman, Ernie	Martiniuk, Gerry	Sterling, Norman W.
Horwath, Andrea	Miller, Norm	Tory, John
Hudak, Tim	Munro, Julia	Witmer, Elizabeth
Klees, Frank	O'Toole, John	Yakubski, John

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 56; the nays are 21.

The Speaker: I declare the motion carried.

The bill is therefore ordered for third reading.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Norman W. Sterling (Lanark-Carleton): Pursuant to the order of the House of Wednesday, December 14, 2005, I beg leave to present a report on the Office of the Public Guardian and Trustee from the standing committee on public accounts and move the adoption of it recommendations.

The Speaker (Hon. Michael A. Brown): Does the member wish to make a brief statement?

Mr. Sterling: Yes. The public accounts committee dealt with the Office of the Public Guardian and Trustee with regard to the auditor's comments. Of particular concern to the committee was the location of the heirs of people's estates for which the guardian and trustee was responsible. As you know, the guardian and trustee is responsible for the estates of incompetent people. It was felt by the committee, and by the auditor, that the public trustee and guardian had not made sufficient efforts to locate the heirs of these estates. That was one of the major concerns of the committee. In fact, there are still

400 files that predate 1996 with regard to estates where heirs have yet to be found.

1400

The other area of concern to the public accounts committee related to the tendering by the public guardian and trustee of investment counsellors: investment people who were taking care of estates. It seems that in the past, the public guardian and trustee paid no attention or little attention to the record of the people who were taking care of these incompetent people's estates.

Therefore the committee has made the unusual recommendation in this particular report to ask for a reply to four of its six recommendations within a period of 30 days, whereas the committee normally gives the respondent 120 days. This is because the committee felt in this case that immediate action was required in order to protect the interests of these heirs and of these incompetent people for whom the public trustee is responsible.

With that, I would move adjournment of the debate.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

INTRODUCTION OF BILLS

VISUAL FIRE ALARM SYSTEM ACT, 2006

LOI DE 2006 SUR LES SYSTÈMES D'ALARME-INCENDIE À AFFICHAGE VISUEL

Mr. Arthurs moved first reading of the following bill:

Bill 59, An Act respecting visual fire alarm systems in public buildings / Projet de loi 59, Loi sur les systèmes d'alarme-incendie à affichage visuel dans les édifices publics.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Does the member have a brief statement?

Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge): Very briefly, the act proposes that fire alarms in municipal and provincial public buildings be visual as well as auditory. This would ensure that the deaf and the hard of hearing would be able to perceive a fire alarm and exit those buildings safely.

MOTIONS

COMMITTEE MEMBERSHIP

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move that the following amendment be made to the membership of certain committees: On the standing committee on the Legislative Assembly, Mr.

Balkissoon replaces Mrs. Cansfield; on the standing committee on public accounts, Mr. Milloy replaces Ms. Broten.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has moved that the following amendments be made to the membership of certain committees: On the standing committee on the Legislative Assembly, Mr. Balkissoon replaces Mrs. Cansfield; on the standing committee on public accounts, Mr. Milloy replaces Ms. Broten.

Is it the pleasure of the House that the motion carry? Carried.

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon. Michael A. Brown): Agreed? Agreed.

Hon. Mr. Bradley: I move that, notwithstanding standing order 96(d), the following change be made to the ballot list of private members' public business: Ms. Marsales, Mrs. Van Bommel and Mr. Racco exchange places in the order of precedence, such that Mr. Racco assumes ballot item number 19, Ms. Marsales assumes ballot item number 27 and Mrs. Van Bommel assumes ballot item number 54.

The Speaker: Is it the pleasure of the House that the motion carry? Carried

Hon. Mr. Bradley: I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker: Agreed? Agreed.

Hon. Mr. Bradley: I move that, notwithstanding order 96(g), notice for ballot items 18, 19 and 22 be waived.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, February 13, 2006, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has moved government notice of motion number 58. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1407 to 1412.

The Speaker: All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Hoy, Pat	Qaadri, Shafiq
Balkissoon, Bas	Hudak, Tim	Racco, Mario G.
Barrett, Toby	Jackson, Cameron	Ramal, Khalil
Bartolucci, Rick	Jeffrey, Linda	Ramsay, David
Bentley, Christopher	Klees, Frank	Rinaldi, Lou
Berardinetti, Lorenzo	Kular, Kuldip	Runciman, Robert W.
Bountrogianni, Marie	Kwinter, Monte	Sandals, Liz
Bradley, James J.	Lalonde, Jean-Marc	Scott, Laurie
Broten, Laurel C.	Leal, Jeff	Sergio, Mario
Brownell, Jim	Levac, Dave	Smith, Monique
Bryant, Michael	Marsales, Judy	Smitherman, George
Cansfield, Donna H.	Martiniuk, Gerry	Sorbara, Gregory S.
Caplan, David	Matthews, Deborah	Sterling, Norman W.
Chambers, Mary Anne V.	Mauro, Bill	Takhar, Harinder S.
Colle, Mike	McMeekin, Ted	Tascona, Joseph N.
Cordiano, Joseph	McNeely, Phil	Tory, John
Craiton, Kim	Meilleur, Madeleine	Van Bommel, Maria
Crozier, Bruce	Miller, Norm	Watson, Jim
Delaney, Bob	Milloy, John	Wilkinson, John
Dombrowsky, Leona	Mitchell, Carol	Wilson, Jim
Duguid, Brad	Munro, Julia	Witmer, Elizabeth
Duncan, Dwight	O'Toole, John	Wong, Tony C.
Flynn, Kevin Daniel	Oraziotti, David	Wynne, Kathleen O.
Fonseca, Peter	Patten, Richard	Yakabuski, John
Gerretsen, John	Peters, Steve	Zimmer, David
Gravelle, Michael	Phillips, Gerry	
Hardeman, Ernie	Pupatello, Sandra	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles	Kormos, Peter	Martel, Shelley
Horwath, Andrea	Marchese, Rosario	Prue, Michael

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 79; the nays are 6.

The Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

YOUTH SERVICES

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I rise today to send a message to all of Ontario's young people. It's a message that was delivered by our Premier yesterday. It's a message I'm pleased to reaffirm in this House today. Our government's message is this: We believe in our youth, and we believe that given the right opportunities, they will make the right choices. We're working hard to ensure that youth who live with circumstances that may present them with significant challenges have every opportunity to succeed. That's why our government has announced a new youth challenge fund.

This fund will support local community initiatives on the ground. It will make good things happen for children and youth in their neighbourhoods, and it will create meaningful opportunities, because this fund is about

creating opportunities by providing supports and programs for youth where they need them most: in their neighbourhoods.

We are challenging the private sector and individual contributors to match our \$15-million investment. We will then match private sector contributions up to an additional \$15 million for a potential total investment of at least \$45 million over the next three years.

Finally, we are challenging our young people to seize the opportunities provided by the fund to reach higher and to fulfill their potential.

While our government believes strongly in this grass-roots approach, we also recognize that it requires a guiding hand. So we are putting together a board that will work with our communities, the city of Toronto and the United Way, to choose and support the ideas with the greatest potential to make the most significant impact. I am pleased that the Premier has asked me to be a member of this board. Argos coach Mike "Pinball" Clemons has agreed to chair the board, which will be comprised of youth, community leaders and private sector leaders who will work hard to ensure meaningful results for our youth.

The doctor and writer Deepak Chopra once said, "There is always one moment in childhood when the door opens and lets the future in." Our government is working hard to give our kids more than one moment of opportunity. We want to open as many doors as we can to a future filled with opportunities and achievements, and we are confident that as these doors open, Ontario's children and youth will pursue every possibility and seize every opportunity. The new youth challenge fund is just one illustration of our government's commitment to our youth. This fund joins a list of other initiatives already on the way, and there are more to come.

HEALTH CARE

Hon. George Smitherman (Minister of Health and Long-Term Care): It's with great pride that I rise in my place today to speak about our government's efforts, and they are successful efforts, to increase Ontarians' access to doctors and nurses. As my colleagues know, this is one of our three main priorities in health care, the other two being healthier Ontarians and shorter wait times. It is by focusing on these priorities that we are going to realize the vision of the health care that we share with Ontarians: a system that helps keep people healthy, gets them good care when they are sick and that will be there for future generations.

We are increasing the supply of doctors in several ways:

We've more than doubled the number of training spots for foreign-trained physicians—international medical graduates, as we call them. There are so many qualified people who have, until now, had their dreams of practising medicine in Ontario frustrated, and we're giving them a chance to make their dreams come true and give us some badly needed help in the process.

We established a program with the College of Physicians and Surgeons to repatriate doctors practising outside Ontario who would like to work here.

1420

We've also increased the number of family residency positions in our medical schools. By 2008, we will have produced an additional 340 family doctors, providing care to some 400,000 Ontarians.

I would like to bring to my colleagues' attention a recent report by the College of Physicians and Surgeons of Ontario, which stated that the number of medical licences issued in the province has nearly doubled in the past 10 years, reaching—and get this number—2,747 in 2005, the highest number in the last 20 years. Furthermore, international medical graduates received 39% of the licences issued, more than for Ontario graduates and more than double the number for IMGs from 10 years ago, all of which is to say that our efforts are paying off.

As my colleagues also know, one of our signature initiatives as a government and one of the most positive steps we are taking to improve access for health care for Ontarians and to improve the quality of that care is the creation of family health teams. We've created 100 so far in communities around the province, with another 50 to come by 2007-08. Family health teams are a model of health care delivery that experts like Roy Romanow have been calling for for years. They bring together doctors, nurses, nurse practitioners and many other kinds of health care professionals in teams providing around-the-clock care to patients in their communities close to home. Fifty of these new family health teams are located in communities considered to be underserved in terms of family physicians, meaning that thousands of former orphan patients will have access to a whole team of health care professionals working together on their behalf.

On the question of better access to nurses, our government has worked tirelessly on this file for more than two years. It should go without saying that nurses are the heart and soul of our health care system. We have a responsibility to increase the supply of good, full-time nursing positions, and we have. Just two weeks ago, the Registered Nurses' Association of Ontario was commending our government's effort in this regard, saying that there are 4,500 more nurses in Ontario than when we took office. We have also introduced several initiatives to make the job of nursing safer and more fulfilling.

Late last month we created a \$40-million nursing retention fund to ensure that nurses can expand their expertise and stay in the profession and that hospitals can continue to meet the needs of patients in their communities. Just last week we announced the Grow Your Own Nurse Practitioner program, which is going to increase the supply of nurse practitioners across the province. The idea is to target health care agencies that have funding for nurse practitioner programs but have been unable to fill those positions for at least a year. There are at least 100 of those vacancies. Agencies like community health centres, family health teams, long-term-care homes and aboriginal health access centres will

now be able to use their operational funding to support registered nurses who want to train as nurse practitioners, on condition that when they become nurse practitioners they return to work in the agencies and communities where the vacancies existed. In this way, we will ensure that these extremely valued health care practitioners are plying their trade in places where they are most needed.

There is one extremely important initiative undertaken by this government that I have not yet mentioned, and that is a significant increase in the number of doctors we are training in our medical schools. On that subject, I know that we all look forward to hearing from my friend and colleague the Minister of Training, Colleges and Universities.

PHYSICIAN TRAINING

FORMATION DES CHIRURGIENS

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): I am pleased to tell the House today about another step the McGuinty government is taking to improve access to health care across the province.

Last week, the Minister of Health and Long-Term Care, the Honourable George Smitherman, myself and many of my colleagues visited communities across the province to announce an expansion in first-year medical spaces. In our spring budget we said we would add 104 first-year undergraduate positions in medical schools by 2008-09. We are fulfilling that commitment. In fact, when you add the 56 new spaces in the Northern Ontario School of Medicine that the Premier opened in the spring, the McGuinty government will have created 160 new spaces.

Trente-deux étudiantes et étudiants ont démarré en septembre; 72 autres viendront s'ajouter au cours des trois prochaines années. L'Université d'Ottawa comptera 20 nouvelles étudiantes et nouveaux étudiants pour répondre aux besoins de la collectivité et de la communauté autochtone, et pour assurer la formation des francophones. L'Université Queen's recevra pour sa part six places, les autres allant à McMaster, à Western et à Toronto.

Over the next three years, Windsor, Mississauga, Waterloo region and St. Catharines will become home to satellite medical school campuses. The University of Toronto will establish a new medical campus in Mississauga for 30 first-year medical students in September 2007; McMaster University, in partnership with the University of Waterloo, is establishing a medical school campus in Kitchener-Waterloo in 2007 for 15 students; it is establishing a second campus in St. Catharines for another 15 students; and the University of Western Ontario is establishing a new satellite medical school in Windsor with 24 students in September 2008. Bringing medical education to four communities that do not now have it with these satellite campuses will mean more doctors in places where they're needed. Studies suggest that students tend to practise where they are trained.

To ensure that our students receive the best-quality education, our government is more than doubling the support for spaces created since 2002, from \$22,000 to \$49,000 per student per year. This funding amounts to \$12.4 million in 2005-06 and will grow to \$17.4 million in 2006-07.

Congratulations and thanks should be extended to the medical schools, the universities and the communities that have worked so hard to help expand the reach of medical education. The hospitals and the faculty linked to our medical schools are essential partners in providing a top-quality clinical education to our medical students. I want to recognize their important role in the success of our expansion plans in all of these communities.

Expanding medical school spaces is part of our government's comprehensive plan to increase access to doctors throughout Ontario. That plan, as you've heard, includes 150 new family health teams, the new OMA agreement, increased residency spaces, more than doubling the IMG program for foreign-trained physicians and increased medical school spaces.

Last spring, our government announced Reaching Higher, the McGuinty government plan to invest an extra \$6.2 billion in Ontario's post-secondary system, the single largest multi-year investment in colleges and universities in 40 years. Reaching Higher confirms our goal to offer more opportunities to our students so they can aspire to, prepare for and, if qualified, exercise their choice to pursue post-secondary education. Strengthening our health care professions is a key component of our government's historic Reaching Higher plan.

Increasing the number of medical school spaces will increase the supply of doctors. That means greater access to health care for Ontarians. The new satellite campuses will bring medical education closer to the communities the doctors will eventually serve. More doctors, better access, improved health care—this initiative will benefit all Ontarians.

The Speaker (Hon. Michael A. Brown): Responses?

YOUTH SERVICES

Mr. John Tory (Leader of the Opposition): I rise to respond to the statement made by the Minister of Children and Youth Services, really repeating for good measure the announcement made by the Premier yesterday. I welcome the announcement, albeit late in coming. I think what it does is confirm the wisdom of the communities in Toronto and elsewhere that we consulted so broadly over the course of 2005 with respect to what was needed to help, not only to address the problem of crime and guns and gangs but also to address the problem that affects so many of those communities in terms of marginalization of people and lack of opportunity for young people.

I also endorse, on behalf of the Progressive Conservative Party, the selection of "Pinball" Clemons as the chair. He's someone I know well. I worked with him well when I was commissioner of the Canadian Football League and at other times. The challenge for him—and it

will be a particular challenge for him working with this government—will be to establish the balance between two of the comments he himself made yesterday: one, talking about the urgency to act and to make sure that we get on with actually providing opportunity and providing programs for these young people and for these communities; and the other, talking about the need to get it right.

1430

I think that too often on matters of this kind, the government has taken too much time to act, too much time to move, and then got bogged down, as I hope they will not in this instance, in the process of picking a board and finding offices and buying furniture and hiring consultants. I'm sure there'll be an ad campaign involved somewhere, because there just couldn't be a program without an ad campaign. I think what we have to do instead is to move much more quickly to engage these communities now, to engage now the people and the leadership who live in these communities. That includes—but is not limited to, by any means—the people who are represented here today from one particular community. It includes the leadership of the black community, who I think are people that we have to get involved in a very detailed way.

What worries me is that I wrote, just to pick an example, to the Premier on August 10, 2005, and talked about "a youth strategy with a focus on coordinating and replicating programs for children and families that works. Your government and other local governments and agencies such as the United Way have supported some programs for children and families, which seem to be achieving some good results. My own conversations suggest, however, that there is really no coordination of all of this, nor is there an attempt to replicate the most effective programs in more neighbourhoods."

Now, there is hope. I live in hope that that is what the announcement of yesterday and today is indeed going to do: not get bogged down in bureaucracy, but instead actually replicate some of the successes that this government, the United Way and other organizations have achieved. I want to reiterate as well, at this point in time, the offer from myself and the PC caucus, made to the Premier and to the government, to work together with "Pinball" Clemons and with the Premier and the government to try and address this. I think it's the kind of issue we should work on together.

I had the privilege of addressing the Canadian Club last week, and when I mentioned this very challenge—issued it from the podium—I had several corporations respond on the spot, saying they would have internship opportunities within their companies. I think that's how this is done. It's not through bureaucracy or paperwork or forms; it's done by issuing the challenge to people to become involved, to work with all of us to make sure we address a problem that needs to be addressed. I know—from my work with the United Way, from my work with "Pinball"—and I live in hope that the government can take full advantage of what those people have to offer

and make sure we can make these programs a success. It's our duty to do so.

HEALTH CARE

Mrs. Elizabeth Witmer (Kitchener–Waterloo): I'm pleased to respond to the announcement made by both the Minister of Health and the Minister of Training, Colleges and Universities. First of all, I think the announcement today about any increase that we might have seen in the way of physicians and nurses certainly confirms the fact that the plan that we put in place when our government was in office is working.

If this government recalls, we had an eight-point plan to reduce the barriers to registration, assessment and training for international medical graduates. We also had a plan and we put in place the initiatives in the development of the northern medical school on the two sites in Sudbury and Thunder Bay. We also had a plan to increase medical school enrolment by 30%. It appears that those initiatives are indeed working.

Also, as far as nurses are concerned, we invested \$375 million annually, in response to the request from nurses, to create more than 3,800 nursing positions in the province, to invest in continuing education for nurses. And of course, our government, on the advice of the nursing profession, particularly RNAO, did create the nursing practitioner position.

However, the minister talks about the family—

The Speaker (Hon. Michael A. Brown): Thank you.

YOUTH SERVICES

Ms. Andrea Horwath (Hamilton East): In response to the Minister of Children and Youth Services, while some may say that this announcement is a welcome first step, it certainly doesn't absolve the government of its further responsibilities on this file. We really aren't kidding anyone here. This is one-time project money. It's not a comprehensive strategy. It's not going to fix the systemic problems that contribute to putting our youth at risk, susceptible to violence and to the creation of crime in our cities.

One can argue that this announcement in fact is a bit of a letdown, because really the solutions need to be far more widespread than this announcement provides. Most of the money is coming from the private sector, but it's the government, not the private sector, that is responsible for finding real solutions to poverty, to the lack of affordable housing, to the lack of affordable child care and available child care, to ending things like the national child benefit clawback and to creating real opportunities for our youth across the province. We need to give young people hope instead of leaving them hoping for corporate donations. The McGuinty Liberals simply are not off the hook with this announcement.

The fund provides some investment in Toronto neighbourhoods, but Hamilton and Niagara regions, for example, also experience serious problems that call out for

comprehensive solutions, not one-offs. I'd like to see an all-encompassing strategy announced by the government that's going to help youth in crisis right across the province. Give them hope; give them a stable environment so they can grow and thrive into the bright future that they so rightly deserve in this province.

HEALTH CARE

Ms. Shelley Martel (Nickel Belt): In response to the statements that were made on health today, I'd refer members to a submission that was made by the Ontario Nurses' Association to the standing committee on finance and economic affairs. Just recently, on February 2, 2006, under the heading "Government Progress on Nursing Job Creation" it says, and I'm going to read this into the record:

"The government is more than halfway into its four-year mandate but only about a quarter of the way to meeting its promise of 8,000 more nurses by October 2007." The health ministry "says the government has created 3,062 full-time nursing positions so far: 1,202 in hospitals, 375 in long-term care to date, 485 in home care and 1,000 new graduate positions.

"But, a closer look reveals the 1,000 new graduates are, in fact, three-month temporary contract positions in hospitals. The government obviously has much more work to do and it must happen quickly.

"In addition, newly created nursing positions in hospitals are being compromised by layoffs announced in order to balance hospital budgets by March 31, 2006. Here are a few examples: Data from the nursing secretariat show that Bluewater Health created 11 new full-time positions, Lakeridge Health created nine new nursing positions, St. Joseph's Healthcare Hamilton created 12 new nursing positions and Sault Area Hospital reported 20 new nursing positions were created.

"At the same time, however, over the course of 2005, Lakeridge announced layoffs of 39 full-time RNs and 57 regular part-time RNs; Sault Area Hospital announced a layoff of 25 full-time RNs and 10 regular part-time RNs. Bluewater announced a layoff of 28 full-time nursing equivalents and St. Joseph's Healthcare Hamilton announced 18 full-time and 10 part-time RN" layoffs. "These layoffs more than negate any progress being made in recruiting new nursing positions using funding that was targeted for that specific purpose.

"Nurses cannot continue to deliver quality patient care in this endless cycle of hiring and layoffs."

Then, of course, it goes on to be very critical of LHINs, as they were during the public hearings. What else has been said about nurses recently? Here's the London Free Press, February 2, 2006:

"Job Cuts Will Drive Nurses Away, Union Warns." I'm going to read this into the record as well:

"Nurses are frustrated and looking for a way out of the profession in the wake of the announcement by London hospitals that 117 full-time and part-time jobs are being eliminated.

"It makes for a very frustrated, disheartened workforce," said Dawn Blenkhorn-Bax, local coordinator of Ontario Nurses' Association Local 100, representing about 1,600 London nurses....

"Many of the 117 cuts will be done by not filling current vacancies and through attrition." She "said it remains unclear if any nurses will be handed layoff notices.

"But by not filling vacancies, hospitals will be increasing the workload for the nursing staff....

"We are working at bare minimum staffing as it is," she said."

What's worse is that this is only phase 1. The hospital still has a \$30 million deficit. So if this government forces them to deal with that deficit, there are going to be significantly more layoffs. She said that "it's difficult for nurses to be told in one breath the province wants to hire 8,000 more nurses and then be told vacancies will go unfilled and layoffs could be on the horizon." That's the situation.

VISITORS

The Speaker (Hon. Michael A. Brown): Today in the Speaker's gallery we are joined by two very distinguished guests: Seated with his grandson, Sebastian Smith, is former Speaker of the Legislature David Warner, who served from November 1990 to September 1995.

Applause.

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ORAL QUESTIONS

OMERS PENSION FUND

Mr. John Tory (Leader of the Opposition): My question is to the Premier. Could you please give us your best estimate of the total cost of your OMERS reforms? I would expect that on a matter of this importance you would have your own numbers that you might wish to share with the taxpayers of Ontario.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): It's great to be back, and I welcome the opportunity to speak to what has developed into a very important issue.

The commitment that we have made is to devolve responsibility for this pension plan, which really doesn't have much to do with the province of Ontario, to those people who are most affected by it: the employer group, the municipalities and the employees. The second commitment that we made was to ensure that police and firefighters in particular would have the opportunity to negotiate new benefits that would, among other things, allow them to retire at an earlier age. We think it's important to recognize that their job responsibilities often entail great risk and danger, and it's only fair that they have that opportunity.

With respect to the question raised by the leader of the official opposition, I look forward to delivering more regarding that at the supplementary.

Mr. Tory: Part of the problem we've seen here is that a good many of the people to whom you want to devolve the responsibility, as you indicated, have real problems with the way in which you are doing this. Now, I asked a very simple question which had to do with the cost. We have a bill here, Mr. Premier, that is about to enter third reading. I think it is reasonable that you should know the cost of the changes that your government has put forward, your best estimate of the cost to the taxpayers of Ontario. There seems to be quite a dispute out there about whether the cost is one number or another number, and I'm asking you to try and give us some estimate. Surely, when you're making changes to a multi-billion dollar pension plan like this and a series of important matters such as the ones you were discussing a moment ago, you could give us your best estimate and that of your government as to how much this is going to cost taxpayers. Can you clear the air for us?

Hon. Mr. McGuinty: The leader of the official opposition is effectively asking me if I can predict with absolute certainty what the outcome of negotiations will be. I cannot do that. But what I can say is that this particular bill, if passed into law, will not allow the negotiation to begin in earnest for at least two years. It then provides that it will take a minimum of nine years for full implementation of negotiation of new benefits.

From the municipal perspective, I have every confidence in our municipal partners to come to the table and bargain strongly and fairly on behalf of their constituents; I have every faith in the municipalities managing that. On the other side, when it comes to employee groups, I can say that they will do the very same thing. So I have confidence in the process that we are putting in place and I have confidence on both sides of the negotiations.

Mr. Tory: I think it's very hard for the people of Ontario to believe that when you are making changes to a multi-billion dollar pension plan like this, whether it's two years or nine years, you wouldn't have some estimate as to how much this might cost taxpayers. It's funny: Everybody else can come up with an estimate, and they disagree with one another, but you can't come up with one at all, and you are the person prepared to put forward these changes.

Now, let's try this another way: The mayor of Sarnia, Mike Bradley, says his city "will be hit with a \$1.6-million bill;" Mayor Poirier of Cornwall says, "If this legislation goes through, it could add to our tax bill 3%;" Mayor Miller here in Toronto says, "We would hope they would withdraw it even at this late stage;" and Mayor Di Ianni says, "Hamilton has already told the government it objects to the legislation because it will increase municipal pension costs dramatically." If all of these people are wrong, then please stand in your place and tell the people of Ontario what calculating, what estimating you have done that any responsible government would do before you introduce changes of this kind to a multi-

billion dollar pension plan: It's the least people have the right to expect.

Hon. Mr. McGuinty: The reason that there is such a broad divergence in the numbers is because they are all speculative in nature. Again, what the leader of the official opposition is asking me to do is predict with certainty the outcome of the negotiations.

I think it's important to understand that when the city comes to the table to bargain with police and firefighters, for example, they're coming to the table with a certain amount of money. If the police and firefighters want to spread that over pay and existing benefits and supplementary benefits, they can do that, but I don't think it's going to require that the city bring any more money to the table.

The other thing to keep in mind is that when it comes to the police and firefighters, they've got to put in 50% of any increased costs. So I don't think you're going to see a huge outpouring among workers in the province of Ontario saying, "Yes, I want to put all kinds more money into this new supplementary plan." So we are convinced. We have had extensive committee hearings on this. We have had an opportunity to improve the quality of the legislation by listening to the opposition—both sides—and we look forward to moving ahead with the bill.

MINISTERIAL CONDUCT

Mr. John Tory (Leader of the Opposition): My question again is to the Premier. Why have you allowed Minister Takhar to remain at his post as Minister of Transportation after the Integrity Commissioner described him as having displayed "negligence, being 'egregiously reckless'" and concluded that in his conduct he violated the Members' Integrity Act?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I just think it would be fairer to all concerned if the leader of the official opposition were to quote from the Integrity Commissioner's report in its entirety. He chooses to be very selective in terms of those parts.

There's another part that I think is very important, and it's found on page 30 of the report. I'll quote from the Integrity Commissioner. He says, "I have to recognize that the minister did not go about intentionally trying to short-circuit the system." He then goes on to conclude, "I think it would be unfair to sanction the minister beyond issuing a reprimand...."

I don't think it's fair to pick and choose those parts of the Integrity Commissioner's report on which you intend to rely. I think we have to look at it in its entirety.

Mr. Tory: Let's talk for a minute about picking and choosing the Integrity Commissioner's words. In a letter I sent to the Integrity Commissioner just last week to clarify whether he had in any way inferred or recommended, as you repeatedly have suggested he did, that the minister should stay at his current post or that you as Premier should keep him there, in his reply, which I will send over to you now, he indicated to me some words

that are very interesting from a former Integrity Commissioner, the Honourable Gregory Evans. He said, quoting Commissioner Evans, "Whether a member of the executive council remains in cabinet is not a matter of my office. It would not be correct to draw any inference that my recommendation that no penalty be imposed has any relationship to a member's status as a member of the executive council." Justice Osborne then goes on to say in his letter to me, which you now have a copy of, "I agree with this conclusion. I do not have jurisdiction to advise the Premier or make recommendations as to who should sit on the executive council."

Now there's nothing to hide behind. Why will you not ask this minister, who has been found to have breached the act and found to be guilty of egregiously reckless conduct—

The Speaker (Hon. Michael A. Brown): The question has been asked. Premier.

Hon. Mr. McGuinty: Not being satisfied with the original Integrity Commissioner's report, the leader of the official opposition is now seeking unilaterally to amend it in some way.

I accept and fully support the Integrity Commissioner's report. I think that, again, it's important not to lose sight of the facts here. We're not talking about a case of releasing confidential health information. We're not talking about a case of hiding expenses through crown corporations. We're not talking about expenses related to hotel rooms and expensive steak dinners. The taxpayers' interests in all of this were in no way, shape or form compromised.

I can tell you that the Minister of Transportation has learned a very important lesson. He should not have had that meeting at that particular place of business, and I stand with the Integrity Commissioner—

The Speaker: Thank you. Final supplementary.

Mr. Tory: I would point out to the Premier that it is not I who invoked the words of a former Integrity Commissioner; it is the current Integrity Commissioner himself who adopted those words, said he followed them and said he passed no comment whatsoever on a decision that is up to you to set and to make with respect to the standard of conduct you expect from your ministers.

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I think the people of Ontario are wondering exactly what it takes to lose your job in this government. You and only you are responsible for setting the standards of behaviour, for deciding what is going to be accepted and what is not in terms of ministerial behaviour. Can we now assume that if the Integrity Commissioner has found the minister guilty of "egregiously reckless" and negligent behaviour, that is a standard of conduct that is appropriate for a member of your cabinet, based on the Integrity Commissioner saying it is you and you alone who sets that standard? Is that the standard you're going to stick to for your ministers?

Hon. Mr. McGuinty: The whole issue of accountability in government and government integrity loomed very large in the recent federal election. I think it's really

important for Ontarians to understand where I am coming from on this issue, and it's important for them to understand the nature of the facts behind this. The Minister of Transportation had a meeting at a former place of business. He shouldn't have had the meeting there; he should have had the meeting elsewhere. Beyond that, what the Minister of Transportation did, even though there was no rule specifically prohibiting this, is that his relationship with his trustee had changed, and he really should have put the Integrity Commissioner on notice.

It's important for Ontarians to understand that this does not involve, in any way, shape or form, any effort to compromise the interests of taxpayers. The Minister of Transportation did not enrich himself in this particular matter. Just so we're clear, in my estimation, given those facts, I am keeping the Minister of Transportation in my cabinet.

NUCLEAR ENERGY

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. In your third year of government, you have now made quite a mess of Ontario's electricity system. You are lurching from crisis to crisis, trying to make policy up on the fly, like your \$40-billion nuclear power boondoggle. My question is, how do three days of open houses on your \$40-billion nuclear scheme represent the real and meaningful consultation that you promised people?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I am also pleased to entertain this question. It too is a very important issue. We have before us a real challenge for all Ontarians, and that is to ensure that we take the necessary steps, sooner rather than later, that will ensure that we have a reliable supply of electricity in 2015 and beyond. That's really the issue that is before us.

The leader of the third party asks about consultation, and we are pleased to engage in consultation with Ontarians on this issue. The Ontario Power Authority was the first to make some consultations over the course of the summer. When it came out with its report, that was posted on the Environmental Bill of Rights website. We have extended the normal period to allow more Ontarians to access that and provide us with their best advice. There is now ongoing consultation in 12 cities throughout the province. The Ministry of Energy also has made their site available for advice with respect to the Ontario Power Authority's recommendations.

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Hampton: In the last year, Ontario has lost 100,000 good-paying manufacturing jobs in the forest sector and other manufacturing sectors; 33,000 jobs in the month of January alone. The major reason? Because of your policy of driving electricity rates through the roof. Now you have a \$40-billion nuclear scheme, which works out to about \$13,000 per household, which means even higher electricity rates. You promised people mean-

ingful consultation, and what do they get? Three days of open houses.

Premier, before you commit Ontario to another \$40-billion nuclear fiasco, will you keep your promise: Hold full environmental assessment hearings, the meaningful consultation that you promised?

Hon. Mr. McGuinty: I know that the leader of the NDP would not want to leave Ontarians with the mistaken impression that the economy's not performing well, and I'm pleased to report that 15,600 net new jobs were created in January.

Again, the OPA itself had consultations. There was an opportunity to register your advice with the Environmental Bill of Rights website. We are conducting consultations now in 12 different cities. There is access available to the Ministry of Energy website, again for Ontarians to register their concerns or advice. I can also say that whatever happens, whatever the outcome might be, it will be the subject of an extensive environmental assessment process. The leader of the NDP understands that. I know it's a difficult question for all of us to come to terms with, but we will be moving forward.

Mr. Hampton: Premier, you don't have to repeat the nuclear mistakes of the past. I can remember when yourselves and the Conservatives used to rail about our electricity system's \$20-billion debt. It's all a nuclear debt. There are real alternatives. There are good strategies in energy efficiency, energy conservation, which your government only talks about and never does.

Here's what it amounts to, Premier: You have superficial ads on television talking about energy efficiency, but no programs, no strategies. Meanwhile, you want people to swallow \$40 billion in new nuclear plants. I'm simply asking you to keep your promise. You promised real, meaningful consultations before adopting a nuclear power plan. Here's a \$40-billion nuclear power scheme. Will you hold now the full environmental assessment hearings and the full, meaningful consultation you promised?

Hon. Mr. McGuinty: The leader of the NDP may not have heard me, but we're into our third round of consultations right now. There will in due course be a full environmental assessment. Just so we're clear, we are exploiting every possible alternative. We have the most aggressive jurisdiction in all of North America when it comes to getting electricity from renewables. We have recently learned—this is great news—that there is going to be a new plant going into Sault Ste. Marie where they're going to manufacture the steel for those turbines which support the electricity that we draw from wind. So there are some really good economic upsides to be associated with our plan for energy. We will, each and every step along the way, be providing opportunities for Ontarians to have input, and we look forward to hearing from them this very week.

ENERGY CONSERVATION

Mr. Howard Hampton (Kenora–Rainy River): To the Premier: Nowhere is your misdirected electricity

scheme more obvious than in Toronto. The mayor of Toronto has said to you, "We want to focus on energy conservation and energy efficiency." City councillors have told you they want to focus on energy conservation, energy efficiency. The head of Toronto Hydro has said they've already saved 140 megawatts; they can save 200 more. But what is your strategy? You want to build a natural gas megaplant without even trying energy efficiency and energy conservation. Premier, why is the McGuinty government policy all about mega-nuclear, mega-natural gas, without giving energy efficiency and conservation even a chance?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): In truth, the city of Toronto proposal called for, I believe, 200 megawatts of conservation. Our proposal calls for 300 megawatts of conservation.

Just so we understand what we're talking about here, in the 1960s Toronto had half the population it has today and 1,200 megawatts of supply within the city. Today, with double the population, we have almost no supply within the city. We have put forward a proposal which we think is the best in the circumstances. It is faster than the Toronto proposal, because an environmental assessment has already been completed. It is less expensive; there is no need to buy out a private sector interest, as there would be in the city of Toronto proposal. I would also argue that it is better for the environment; there is no temporary generation involved. And as I mentioned a few moments ago, we're looking for 300 megawatts of conservation as opposed to 200.

1500

Mr. Hampton: Premier, people hear your speeches, they see the photo ops, but they haven't seen, after three years, anything that even approaches an energy-efficiency strategy. Someone living in Manitoba can get a \$5,000 low-interest loan to buy energy-efficient appliances, to put in energy-efficient windows, to put in insulation so they use less electricity. If they live in Quebec, they can do the same thing. But what do they find in Dalton McGuinty's Ontario? They don't find any strategy. They find superficial television ads.

When are we going to see energy efficiency and conservation rather than nuclear megaplants and natural gas megaplants, Premier?

Hon. Mr. McGuinty: The leader of the NDP will know that we've already brought on close to 3,000 megawatts of new generation. He will also know that we have another 10,000 megawatts of supply in the works. By the way, that 13,000 megawatts is very balanced—in fact, extraordinarily so. A quarter of that comes from refurbishment of nuclear generation; a quarter of that—and this is extraordinary in North America—comes from renewable sources; and the balance comes from natural gas and other. I've also been working as hard as I can, together with the Minister of Energy, to ensure that we can in fact buy electricity from Manitoba and from Newfoundland; we've been working with the province of Quebec on that as well. It would have been better had the NDP not

cancelled that contract with the province of Manitoba. It was very affordable, clean and reliable electricity. That's in part what put us behind the eight ball, but we are moving ahead.

Mr. Hampton: Premier, you want to talk about purchasing electricity from Manitoba. I just want to remind you of what the energy critic for the Liberal Party said in 1992: "We can't afford to purchase electricity for Manitoba. It's too expensive." And who was that energy critic? Dalton McGuinty.

So, Premier, this is more of your on again, off again. I want to ask you again, Premier: People are looking for meaningful energy efficiency. The people of Toronto are not interested in a natural gas megaplant, just as many other people across the province aren't interested in \$40 billion of nuclear power. They want to see real energy efficiency, real energy conservation, not superficial television ads.

When is the McGuinty government going to stop talking about energy efficiency, stop talking about energy conservation and actually do some energy conservation and efficiency, rather than meganuclear—

The Speaker (Hon. Michael A. Brown): The question has been asked.

Hon. Mr. McGuinty: The leader of the NDP is always passionate about these issues, and I do not for a moment doubt his sincerity. I wouldn't go that far.

I can tell you again, in terms of our commitment to conservation, that the city of Toronto proposal for the waterfront generation project was looking at 200 megawatts of conservation. We've upped that to 300 megawatts of conservation. We have put in place a new chief conservation officer, the first of his kind in Ontario. We're putting smart meters in 800,000 homes. We have established for the first time a 5% target, province-wide, for energy conservation and a 10% conservation target for the Ontario government. So we have in place some huge efforts to drive conservation. We want to see those move more quickly, and what we've done now is put a very important advertising campaign on TV, which is helping to enlist Ontarians more and more to the cause of conserving electricity.

MINISTERIAL CONDUCT

Mr. John Tory (Leader of the Opposition): I'd like to come back to the Premier on the subject of Mr. Takhar. Again, when the Premier talked about this being just about a meeting to discuss something and so forth and so on, he was conveniently overlooking the fact that the Integrity Commissioner, whom we, the Legislature, appointed to look into these matters, found the minister's conduct to be, and I'm using his words, "negligent and egregiously reckless"—not just reckless but egregiously reckless. Seeing that you've chosen to ignore us and the representations we're making on this today, as well as the Integrity Commissioner, maybe we could share with you some other opinions that have been rendered on this:

"Premier Dalton McGuinty should reconsider his earlier defence of Takhar and remove him from

cabinet ... McGuinty is wrong to argue that the reprimand by Osborne is 'significant' and enough punishment." Toronto Star.

"Mr. Takhar should not be in the cabinet. Mr. McGuinty should have booted him out as soon as Commissioner Coulter Osborne delivered his devastating report." Globe and Mail.

Premier, this is not about any one minister; it's not about any one Premier; it's not about a debate in the Legislature. It's about respect and integrity for the government, for the Legislature and for people in public life—

The Speaker (Hon. Michael A. Brown): The question has been asked. Premier.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The question has been asked many times, and I've had the opportunity to answer it many times as well. The answer to that particular question is no.

In terms of making the government more accountable, I want to tell you about some of the progress we've been making as a government. We introduced and have passed into law the Fiscal Transparency and Accountability Act, which is going to make sure the Auditor General signs off on the books before an election so that no government ever again can hide a \$6-billion deficit. I'm somewhat surprised to learn that the Conservative Party voted against that bill. We've also brought the freedom-of-information law to bear on OPG and Hydro One, which had been sheltered from that particular legislation by the Conservatives. We gave the Auditor General more powers to audit school boards, hospitals, colleges and universities. We have banned partisan government advertising in the province of Ontario. We've opened up universities to freedom of information. We've brought in real-time disclosure for political donations. I could go on. We are doing more and more every day to ensure that our government is held up as accountable.

Mr. Tory: We could debate each and every one of those things, but it's about your standard today. May I remind you of what you said on June 25, 1997. You said, "The report we obtained today leads us to one overwhelming, overriding conclusion: that the minister, Al Leach, is in breach of the legislation, that he has broken the law and that he should resign."

Adding to the mountains of opinion: Christina Blizzard, Toronto Sun: "He can't keep a minister in cabinet who has breached the integrity rules." Murray Campbell of the Globe and Mail: This "is the Premier's power alone. He should use it to protect the integrity of the political system."

Why, when there has been a law broken here, a rule violated, when there has been a finding of egregiously reckless conduct, when there has been a finding of negligence and a reprimand under the Members' Integrity Act, will you now not exercise your judgment and say, "That kind of standard of behaviour, egregiously reckless and negligent, is not acceptable in the cabinet of Ontario," and that you are not going to accept it as Premier of this province?

Hon. Mr. McGuinty: I've answered this several times now. The leader of the official opposition doesn't like the answer, but perhaps he does not have the benefit of context. Through no fault of his own, he was not here at the time that Conservative government ministers were in breach of the Members' Integrity Act and suffered the wrath of the Office of the Integrity Commissioner. But just to remind him, this does not involve hiding expenses through crown corporations; it does not involve an abuse of taxpayers' money through expensive hotel rooms and steak dinners. Minister Takhar did not in any way enrich himself; he did not in any way abuse or was even seen to attempt to abuse taxpayer dollars. So I think what we have here is clearly a difference of opinion, and I've expressed mine.

OMERS PENSION FUND

Ms. Andrea Horwath (Hamilton East): Speaker, as I rise to ask the question, Rosario Marchese is dropping off some letters sent by—

Interjections.

The Speaker (Hon. Michael A. Brown): Order. Members know that demonstrations in the Legislature are out of order.

Interjections.

The Speaker: Order. The member for Hamilton East may have a question.

1510

Ms. Horwath: Premier, with each passing day it becomes more and more clear how badly you've botched the OMERS pension legislation. Thanks to the incompetence and poor choices you've made, the vast majority of both employee and employer groups are livid. You know that it wouldn't have been hard to get this legislation right. You could have treated everybody equally, offering at least the same rules for everyone. Basic fairness could easily have been achieved in this bill. Why wasn't it?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I want to thank the member for the question. I want to register an objection on the part of Mr. Ryan, who is here, because I know he wanted that question to be on earlier. Be careful, Sid, because the next thing you know, you'll be out of the party.

Interjection: No notice.

Hon. Mr. McGuinty: No notice, no debate, no consultation.

There is an important issue here, and I want to in fact welcome Mr. Ryan to the Legislature. We have worked long and hard with all parties concerned to get this bill right. I'm convinced that, taking the best advice we could possibly get, including that coming from the parties opposite, we have improved the quality of this bill.

There is one thing in particular that I want to relay to Mr. Ryan and to the membership, and I'll get this out very quickly: We are doing nothing in here that will in any way, shape or form, compromise the pension plan for—

The Speaker: You may want to get to that in the supplementary.

Ms. Horwath: Premier, your jokes really do indicate the way you've been treating certain members of the unions in regard to this legislation. It's indicative of your lack of concern about their issues. Your bill—

Interjections.

The Speaker: Order.

Interjections.

The Speaker: Order, Minister of Health.

Interjections.

The Speaker: We can wait.

The member for Hamilton East.

Ms. Horwath: Thank you, Mr. Speaker.

Your bill is so flawed that it was entirely rewritten in committee, and it's still offensive in many ways, particularly in the supermajority processes that are still in there. Continued opposition by CUPE members, municipalities and serious concerns from stakeholders like OSSTF, OPSEU and school boards show that it's still a flawed bill. We're talking about changes to workers' pensions that discriminate against the majority of workers in the plan. That's unconscionable and could be the difference between people retiring in poverty or with the dignity of a secure income.

You have to get this right. What are you going to do to fix this bill?

Interjections.

The Speaker: The government needs to come to order. The treasury bench is no better.

Interjection.

The Speaker: The Minister of Community and Social Services will come to order.

The member for Hamilton East.

Ms. Horwath: Premier, you have to get this bill right. I'm simply asking, what are you prepared to do to fix it?

Hon. Mr. McGuinty: As I understand it, one of the concerns shared by Mr. Ryan and CUPE members is whether or not this particular bill, which enables police and firefighters to negotiate additional benefits under a supplemental plan, is going to compromise the pension rights of other plan members.

The NDP in fact put forward a motion which was so good that we adopted it in its entirety. I want to quote from that motion. It's now part of the bill: "No assets of the primary pension plan shall be used for the purpose of paying any optional benefit under a supplemental plan or funding the payment of any other liability of a supplemental plan." We've gone to great lengths, working together with the NDP, to provide CUPE members and all plan members with the assurance that what we do for police and firefighters, in giving them the right to negotiate new opportunities, will not in any way compromise the pension rights of other plan members.

We're doing this in the fairest way possible to devolve responsibility for the plan and at the same time honour our commitment to police and firefighters.

The Speaker: New question.

Mr. Dave Levac (Brant): My question is for the Minister of Municipal Affairs and Housing. This past week, I've had many discussions with municipal officials

and constituents who are members and contributors of the Ontario municipal employees retirement system—OMERS—pension plan. I understand that the debate on putting the OMERS plan into the hands of those who have contributed to it has been ongoing for more than 10 years. The previous government didn't do an awful lot about that debate. In fact, in these two committee hearings that we've heard after first and second readings, they've submitted two motions and removed two motions from their own suggestions for the pension plan. Right now, the province has to play the sponsor's role of OMERS plan, which includes responsibility for plan design and benefit changes, as well as appointing the OMERS board, but the province doesn't contribute to the plan directly. Minister, what progress have we made to bring OMERS into the hands of those employees/employers who contribute to it?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'd like to thank the member for his question, because I know he's had a great interest in this issue for some time.

Changes to the OMERS pension plan with respect to governance have been talked about by different governments for at least the last 10 years. All we're doing by devolving the OMERS pension plan is giving responsibility to those individuals who pay into it and those individuals who benefit from it. The government's proposed model, as a matter of fact, was recommended by the OMERS board in the year 2002. At that point in time, Howard Hampton, the leader of the NDP said on November 26, 2002, "The New Democratic Party fully supports OMERS autonomy."

With respect to the supplemental benefit plan that we are allowing negotiations to take place on, this plan does not in any way, shape or form affect the main plan as far as the finances are concerned.

Mr. Levac: Minister, there's another major area that needs to be addressed: OMERS retirees, those presently retired. Whether it is through miscommunication or just plain misinformation, I've received phone calls and e-mails from retirees who—and I don't believe this is too strong a phrase—are frightened and angry. It's my understanding that they are actually to receive something in writing that tells them what Bill 206 will do or will not do for them. Because of this misinformation, these retirees have been telling me—and quite rightfully so—that their pensions will be cut and even dumped altogether. Those are some of the things that I've been receiving, and I'm disappointed by that. Because of this misinformation, we're told that they have no voice as to what is happening to their pension. Minister, I think it's outrageous that people who have spent their entire life working, who should now be enjoying their retirement, are spending time worrying about whether or not their pension is secure. It's time to set the record straight: Will you tell us right now exactly what 206 does and doesn't do for present pensioners?

Hon. Mr. Gerretsen: This is a very important issue, because we all have received letters of that nature as

well. Let me be absolutely clear: There is nothing in Bill 206 that would change the terms of existing pensions. People's existing pensions are safe. As a matter of fact, the proposed bill provides that retirees get voting representation, for the first time, on both the administration board and the sponsors board. For those members who are currently contributing to the plan, if the bill passes, it will be up to the employers and the employees who are currently contributing to the plan to determine if any of the benefits—the supplementary benefits that were talked about earlier—will be accessible. The cost of that will be borne on a 50-50 basis between the employers and the employees. There is absolutely nothing in the bill that affects existing pensions or pensioners.

MINISTERIAL CONDUCT

Mr. John Tory (Leader of the Opposition): I'd like to come back to the Premier, if I could, on the Takhar matter again. I wonder if the Premier could explain the difference between the Leach case—which he talked about in the Legislature in 1997, where the Integrity Commissioner at the time found the minister had breached the legislation and the Premier at that time said the minister should resign—and the Takhar case, where the Integrity Commissioner has found that the minister has breached the legislation and for the first time ever has reprimanded a minister under the Members' Integrity Act. Could you tell us what the difference is between one case, where you said the minister should resign because he breached the act, and this case where, more seriously, the Integrity Commissioner reprimanded the member and you now think the minister shouldn't resign notwithstanding egregiously reckless and negligent conduct?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): First of all, let me just say that the reprimand in and of itself is very significant. The members opposite may not see it as such, but it's certainly nothing to which any of us on this side of the House aspire. It is very significant. Beyond that, again, the leader of the official opposition chooses to be selective in terms of reading from the original report of the Integrity Commissioner, where the Integrity Commissioner specifically says that it would be unfair to impose any additional sanctions.

1520

Mr. Tory: It's absolutely unbelievable that you would stand here after the letter I received today, of which you have been provided with a copy, where the Integrity Commissioner of Ontario specifically says that he was not making any comment whatsoever about the fitness or lack of fitness of this man to continue to serve in your cabinet. You know from what he has said today that it is your responsibility and your responsibility alone to decide on standards of behaviour for your ministers. I think it is high time that you stood up and at least had the courtesy to the Integrity Commissioner to say that you have been less than straightforward with people in your interpretation of what he said, that you have to set that

standard of conduct and that you are prepared to accept egregiously reckless and negligent behaviour as the standard of behaviour for your ministers. If that's good enough for you, have the courage to get up and say so.

Hon. Mr. McGuinty: I really do appreciate the advice of the leader of the official opposition. As you might imagine, I get all kinds of advice. Some of it I actually seek.

Let me say that I've thoroughly considered this matter, and given the facts and the nature of this particular matter, it was inappropriate for Minister Takhar to hold a meeting at his place of business. He should have held that meeting elsewhere. Even though there was nothing specifically provided by way of rule or regulation that said that you've got to put the Integrity Commissioner on notice when you change your relationship with your trustee, he really should have done that. But again, this does not, in any way, shape or form, involve any enrichment on the part of the Minister of Transportation. It does not, in any way, shape or form, involve any use, misuse or abuse of taxpayer dollars. In those circumstances, I am very comfortable—the leader of the official opposition is obviously not—maintaining the Minister of Transportation—

The Speaker (Hon. Michael A. Brown): Thank you. New question?

Mr. Michael Prue (Beaches–East York): My question is to the Premier, and it's again on this same issue. As opposition leader in 1997, you stood in this House regarding former Minister Al Leach, who found himself in violation of the Members' Integrity Act. I'd like to quote again exactly what you had to say that day. You said that the Integrity Commissioner "said that the minister has broken the law. It seems to me that in those circumstances what the Premier should have done today is he should have stood in his place and said that he has asked for the resignation of the minister, and to that he should have added that he accepted that resignation." That's what you said when you were in opposition, but today, repeatedly, you are saying exactly the opposite. What has caused you to change your mind so much? Is it because it is your member today rather than someone on the other side?

Hon. Mr. McGuinty: To be very direct, I stand by this decision. The members opposite may not like the decision, they may want to read more into the Integrity Commissioner's report than is actually to be found there, but I stand by this decision. Given the facts, given the work ethic of my Minister of Transportation, given the absolutely astounding job that he continues to do on behalf of the people of Ontario, I stand by my decision.

Mr. Prue: You came to power promising that you would make tough decisions. You promised that you would be responsible, but you have ducked everything. The Integrity Commissioner has made it clear that he cannot remove someone from your cabinet; only you can do that. Only you can make the right decision. Only you can ensure that there is integrity at the table around you. The people of Ontario are entitled to some modicum of

leadership, the people of Ontario are entitled to some moral courage and the people of Ontario are entitled to some conviction. When are you going to provide it?

Hon. Mr. McGuinty: What it comes down to again is that the members opposite are not in agreement with the decision I have made. I accept their disagreement, but it will not influence my decision. I have a responsibility to ensure that we work as hard as we can to inspire confidence in the people we are privileged to represent, and we will do that in every way possible. I've listed earlier some of the initiatives that we have taken as a government. So I am very clear in this matter.

What we're talking about here is a member of my cabinet who held a meeting at a place of business when he should have held that meeting, clearly, in some other place—any place but that place of business. Also, even though there's no rule or regulation requiring him to do so, when he changed his relationship with his trustee, he really should have notified the Integrity Commissioner. Those are important lessons to be drawn from this, but the question the members are asking is, does that make this worthy of an expulsion from cabinet? Clearly, I say no.

PHYSICIAN TRAINING

Mr. John Milloy (Kitchener Centre): My question is to the Minister of Training, Colleges and Universities. In my area, one of the greatest problems is access to physicians, but as everyone in this House knows, it's not an easy problem to address. There's no grand, sweeping strategy. Instead, our government has adopted a series of strategies, such as the recent agreement with the OMA, which serves to retain physicians here in the province and attract some back. We've also had extraordinary work done in terms of training more international medical graduates. We've seen the creation of family health teams—three in my region. However, missing from this long list are the medical schools, and I'd like to ask the minister how he's engaging medical schools in addressing the doctor shortage in this province, and how it will affect areas like Waterloo region.

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): I'd like to thank the member for Kitchener Centre for his advocacy on behalf of his community to address issues of access to doctors. Last week, he and I participated in part of an announcement—an announcement that underlines and supports the McGuinty government's commitment of access, an announcement that delivered 104 new medical spaces for medical doctor education in the province of Ontario. Those, combined with the 56 new spaces created when the Premier opened the new Northern Ontario School of Medicine this spring, mean that we're delivering 160 new spaces. Where are they going? They are going to a community such as Kitchener-Waterloo region, where the member for Kitchener Centre has been advocating for a long period of time that we need more doctors. So we're delivering a new satellite medical school campus to Kitchener-Waterloo in his community.

Mr. Milloy: I'd like to begin by thanking the minister for last week's announcement, which was greeted in the community with a great deal of excitement and enthusiasm. His announcement last week, of course, involved the establishment of satellite medical schools, which is a bit of a novel twist to the whole idea of medical training in Waterloo region. It's of particular interest because the school will be established in downtown Kitchener on the site of the new downtown medical school sciences campus, as part of the University of Waterloo. What I wanted to do was ask the minister why he decided to pursue this idea of satellite medical schools, along with other support that the government will be offering in terms of training physicians.

Hon. Mr. Bentley: Working together with my colleague the Minister of Health and Long-Term Care and other colleagues in the government, and taking the great advice from members such as the member from Kitchener Centre and my other colleagues, it became clear that in order to extend the reach of medical education, we needed satellite medical campuses. So we've established them. We're establishing them in Kitchener-Waterloo, in Windsor, in Mississauga, in St. Catharines, to ensure that doctors are going to be educated closer to the communities that they're going to be serving.

Among other things, the study suggests that doctors tend to remain in the communities closer to where they are educated. This extends the reach of medical education. For example, in the Kitchener-Waterloo area, the doctors who will be trained there will have some of their training done not just in the Kitchener-Waterloo hospitals but also in hospitals in Guelph—for example, Guelph General and Homewood Health Centre. It's good for the communities, good for the people of Ontario, good for access to doctors and it will all be supported with more—

The Speaker (Hon. Michael A. Brown): Thank you.

1530

MINISTERIAL CONDUCT

Mr. John Tory (Leader of the Opposition): I guess we'll have one more try here to see if we can get the Premier to follow his own words. He just said in this House a few moments ago, and I agree with him on this, that his job, together with all of us here in this Legislature, is to inspire confidence on the part of the people that we represent in the system that we're a part of in the roles that we fulfill in cabinet, in the Legislature, as Leader of the Opposition, and so on.

Could the Premier explain to me how leaving a man in a senior position in cabinet after he has been found guilty of breaching the Members' Integrity Act—for the first time in history, a minister has been reprimanded, and the words used in finding him guilty and in reprimanding him describe his conduct as "egregiously reckless" and negligent. Could you tell me how that inspires confidence on the part of the people of Ontario, who have already seen quite enough to shatter their confidence in the integrity of politics and politicians? How does this help

in terms of your expressed desire to do that? How is your decision here helping that?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Again, the leader of the official opposition chooses to be selective in the choice of quotations that he abstracts from the Integrity Commissioner's report. Again, I think that report should be viewed in its entirety. Again, though, ultimately this is something that falls to me. It's up to me, ultimately, to make the decision, and I've made that decision. I am comfortable making that decision.

In some ways, it would be so much easier to send Minister Takhar out of the cabinet, but I think that would be wrong, given the circumstances of this matter. Again, we're talking about a man in cabinet who had a meeting at a place where he shouldn't have had that meeting. We're talking about a man in cabinet who also, even though there was no rule or regulation to the contrary, really should have notified of the change of his relationship with his trustee and put the Integrity Commissioner on notice.

Under those circumstances, I think—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Tory: I say, with respect to the Premier, that he's got this wrong. The easy way to is leave him there and do nothing, and do nothing to establish for all of us, for the process that we're all a part of, a reasonable standard of behaviour that you expect and that we would expect and that, more importantly, the people expect of their ministers.

Now, you having made that decision, as you say—and we live in hope that you might think about this again—could I at least ask you to confirm that you have been repeatedly incorrect in the attribution that you have made to the Integrity Commissioner—because I think at least you owe him that—in using his words to justify your decision not to in any way deal with your minister? He says right here, and I quote, “I do not have jurisdiction to advise the Premier or make recommendations as to who should sit on the executive council.” Are you at least prepared to stand in your place and say that it is not him who gave you any recommendation or advice or comment whatsoever on the matter of Mr. Takhar's fitness to remain in your cabinet: that it is your decision alone?

Hon. Mr. McGuinty: While the leader of the official opposition chooses to luxuriate in this matter to an obsessive degree, I think Ontarians are entitled to know what the Minister of Transportation has been doing.

He has launched a more secure drivers' licence scheme. He has launched the first high-occupancy vehicle carpool lanes on GTA highways. He has launched a new safety initiative for our school buses. He has launched a new program for booster seats for children in cars. He has launched the new Viva transit system in York region. He has launched the new GTA fare card. He has put in place a new northern Ontario highway strategy. He's got in place now a rental truck safety inspection blitz. He has done many, many things which I

believe without any shadow of a doubt will, at the end of the day, stand to his credit when people look back on his history of serving the people of Ontario in this Parliament.

FOREST INDUSTRY

Mr. Gilles Bisson (Timmins–James Bay): My question is to the Premier. The job losses continue in the forest industry. Just last Tuesday, in one week in northern Ontario, we saw the loss of 19 jobs at the Tembec mill in the city of Timmins. On Friday, we heard the announcement made by Columbia Forest Products of the loss of 76 jobs at the melamine plant and the particleboard plant in the community of Hearst.

In those closures, again, the companies are saying a big part of the problem is your energy policy and your fibre cost policy. A very simple thing, Premier, in this whole situation is that your government is doing absolutely nothing to avert these job losses. My question to you is simply this: When are you going to reverse your energy policies so that we stop the job losses that we're seeing across Ontario, but specifically for the north?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Natural Resources.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I'd say to the honourable member, he knows that there's \$680 million this government has put forward towards initiatives in the forest products industry of all of this province, not just northern Ontario. The member knows that, and the member also knows that this government announced the extension of the electricity pricing rate cap for another three years, starting at a level of 4.6 cents a kilowatt hour, which is a reduction from what people are paying today, and that will start May 1. The member should also know that as part of the prosperity program there is a lot of latitude in regards to the negotiations between companies and the government in regards to energy projects and how those are funded by this government.

Mr. Bisson: I'm sure what you meant was platitudes, not latitudes, because that's all we're getting from this government. For this government and this minister to stand up and say, “Oh my God, we delivered this great forestry plan to the industry to assist it”—the Ontario Forest Industries Association, the Canadian energy and paperworkers unions, the Steelworkers, the communities all have said the same thing: “It's not working. Dalton McGuinty, would you wake up?” We're losing jobs by the thousands across northern Ontario and across this province because of your energy policies and your inaction on this file. Stop the platitudes. When are you going to announce a reversal on the energy policies of this government?

Hon. Mr. Ramsay: I think the member should be reminded that in January there were 2,300 new jobs in northern Ontario. While this particular industry is having exceptional challenges, I want you to know that Premier

McGuinty, this cabinet, all of us, are working to make sure that this industry gets on to a sure footing. In the last few days, I've been working with the industry on a go-forward basis and discussing what the challenges are going forward, what their immediate needs are. You've heard this Premier say that we are going to do more for this industry, and you're going to hear that in the next few days.

PUBLIC TRANSIT

Ms. Judy Marsales (Hamilton West): I'm happy to ask a question about Hamilton, instead of all the grand-standing.

My question is for the Minister of Transportation. Commuting to and from the ambitious city of Hamilton has certainly taught me a great deal about the congestion on the roads. This experience has also pointed out the need for a very efficient public transit system. Encouraging the use, however, of the public transit system by people will certainly ease congestion, but will also accrue as an important benefit for our environment and, by extension, a benefit to our communities and to our economy.

For the environment, public transit means our roads are less congested. It means a reduction in greenhouse gas emissions. These emissions are filling up the air and creating smog, which negatively affects the health of Ontarians. However, less congestion is very important for Hamilton because we need to enhance our economic activity. We do not want our future stuck in traffic—

The Speaker (Hon. Michael A. Brown): The question has been asked. The Minister of Transportation.

Hon. Harinder S. Takhar (Minister of Transportation): I would like to thank the member from Hamilton West for her question. The gas tax was one of our original election platform commitments, and we moved on that commitment in our very first budget. In our first budget, we gave one cent per litre of gasoline tax to the municipalities, and it came to about \$156 million to about 110 municipalities and about 83 to 85 transit systems. This has really paid big dividends for us. It has increased the stock of new buses on the road. They have been able to hire new drivers. They have been able to add new routes.

We are already moving with the second phase, which is about one and a half cents of the gasoline tax per litre to the municipalities. It's about \$232 million, and it will also affect about 110 municipalities. By the way, Hamilton will get about \$8 million, which they should be able to put to good use.

The Speaker: Supplementary?

Mrs. Liz Sandals (Guelph–Wellington): Minister, we know that the previous government did not support the expansion and improvement of local public transit systems. In my riding of Guelph–Wellington, we have a large population of students from the University of Guelph and area high schools. I know that they rely on public transit a great deal to get them to and from activities.

Last year, the gas tax transfer to the city of Guelph resulted in a payment of \$1.4 million to my local transit committee, and they used this money very effectively. They added a new route which made the transportation around Guelph much more efficient, much more effective. Historically, we've had a daisy style of transportation: Every route went out and back in to a central point. What they did with the money we added last year was add a perimeter route to connect everybody as they moved around. So we have had an excellent improvement.

Minister, what are we going to be able to do this year for my constituents?

1540

Hon. Mr. Takhar: We are making record investments in transit. This is the first government that has provided stable, long-term funding to the municipalities so they can address their transit needs. The gas tax money alone this year will be \$232 million. Out of that, the share for your area will be about \$2.1 million.

As we have seen with all of the other municipalities, they have put this money to good use, and we look forward to the municipalities making good use of this money as well, making real improvements in transit and adding new routes, new buses and so on. In total, we are also making about a \$900-million investment in public transit.

PETITIONS

HIGHWAY 26

Mr. Jim Wilson (Simcoe–Grey): A petition to the Legislative Assembly of Ontario:

“Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 2000; and

“Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

“Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe–Grey;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe–Grey.”

I want to thank Kim Taylor of ReMax Wasaga Beach for circulating that petition on behalf of the people of my area.

CANCER TREATMENT

Mr. Michael Prue (Beaches–East York): I have a petition that reads as follows:

"Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

"Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

"Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

"Whereas cancer patients have the right to the most effective care recommended by their doctors;

"We, the undersigned, petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients."

I am in agreement and sign my name thereto.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Bob Delaney (Mississauga West): I'm pleased to join with my colleague the member for Niagara Falls in presenting this petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

It's my privilege to sign this petition and ask page Katelynne to carry it for me.

JUSTICE SYSTEM

Mr. Jerry J. Ouellette (Oshawa): I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the Honourable Michael Bryant is minister responsible for democratic renewal;

"Whereas the Honourable Michael Bryant, Attorney General of Ontario, is elected to safeguard our justice system on behalf of the people of Ontario;

"Whereas the Ministry of the Attorney General may not be aware of the serious and important issues facing individuals involved in areas of the justice system even though the Attorney General's ministry is continually monitoring;

"Therefore we, the undersigned, ask the Honourable Michael Bryant, Attorney General, for his in-depth investigation of the Ontario judicial system and to make the public aware of his findings immediately."

I affix my signature in full support.

PROPERTY TAXATION

Mr. Michael Prue (Beaches–East York): I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas property assessment now occurs on an annual basis;

"Whereas the Mike Harris government created the Municipal Property Assessment Corporation (MPAC) to deflect criticism of property assessment methodology from the province;

"Whereas the McGuinty Liberal government promised to create a fair and equitable system of assessment; and

"Whereas property values are not related to the cost of municipal services or to the ability of taxpayers to pay;

"Therefore we, the undersigned, petition the Legislature of Ontario to immediately create a new system of property assessment that provides property and business owners with fair and equitable assessments that are stable and transparent that a property owner will clearly be able to understand."

I'm in agreement and will affix my signature thereto.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mrs. Liz Sandals (Guelph–Wellington): This petition is from the supporters of Community Living Guelph–Wellington.

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that

they require in order to live meaningful lives within their community.”

I'm pleased to sign this into the record.

AUTISM TREATMENT

Mr. Frank Klees (Oak Ridges): “To the Legislative Assembly of Ontario:

“Whereas children with autism who have reached the age of six years are no longer being discharged from their preschool autism program; and

“Whereas these children should be getting the best special education possible in the form of applied behaviour analysis ... within the school system; and

“Whereas there are approximately 700 preschool children with autism across Ontario who are required to wait indefinitely for placement in the program, and there are also countless school-age children that are not receiving the support they require in the school system; and

“Whereas this situation has an impact on the families, extended families and friends of all of these children; and

“Whereas, as stated on the website for the Ministry of Children and Youth Services, ‘IBI can make a significant difference in the life of a child with autism. Its objective is to decrease the frequency of challenging behaviours, build social skills and promote language development’;

“We, the undersigned, petition the Legislative Assembly of Ontario to fund the treatment of IBI for all preschool children awaiting services. We also petition the Legislature of Ontario to fund an educational program in the form of ABA in the school system.”

I'm pleased to add my signature to this petition.

1550

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale): This petition is to the Legislative Assembly of Ontario.

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I affix my signature on this petition as well.

OMERS PENSION FUND

Mr. Norm Miller (Parry Sound-Muskoka): I have a petition from my riding of Parry Sound-Muskoka. It says:

“To the Legislative Assembly of Ontario:

“Whereas CUPE Local 1457 is concerned by the Liberal government's legislation, Bill 206, Ontario Municipal Employees Retirement System Act, 2005; and

“Whereas Bill 206 contains a multitude of changes that will cripple OMERS' ability to manage its \$40-billion pension assets; and

“Whereas Bill 206 makes no provision for oversight of pension funds or accountability; and

“Whereas Bill 206 changes the rules on resolving differences among sponsors, making it harder for CUPE to find a way to improve and protect pensions; and

“Whereas Bill 206 discriminates against women and lower-paid members while providing for special consideration for police and firefighters;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty government abandon passage of Bill 206.”

MACULAR DEGENERATION

Mr. Kim Craitor (Niagara Falls): I'm pleased to introduce this petition on behalf of my riding of Niagara Falls. The petition is addressed to the Legislative Assembly of Ontario and reads as follows:

“Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration,” known as wet, “and there are other forms of macular degeneration,” known as dry, “that are not covered,

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most” individuals “and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance” plan.

I'm pleased to support this petition by affixing my signature to it.

HEALTH CARE FUNDING

Mr. John O'Toole (Durham): I'm pleased to present a petition to the Legislative Assembly of Ontario:

“Whereas the federal Income Tax Act at present has a minimum amount of medical expenses for which a taxpayer is entitled to claim a non-refundable income tax credit;

"Whereas the health and medical expenses of every citizen in the province of Ontario, great or small, affect their overall net income;

"Whereas the Ontario Liberal government moved in their 2004 budget on May 18 ... to delist publicly funded medical services such as chiropractic ... optometry examinations and physiotherapy services;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Income Tax Act remove the present minimum amount of medical expenses for which an Ontario taxpayer is entitled to claim a non-refundable income tax credit."

I am pleased to sign this and support it on behalf of my constituents of Durham.

HANDGUNS

Mr. Toby Barrett (Haldimand–Norfolk–Brant): These signatures were gathered at the Port Rowan outdoors show. It's titled, "McGuinty's Handgun Ban is Not the Answer," and it's addressed to the Legislative Assembly of Ontario. It begins with a quote from Premier McGuinty:

"I think a handgun ban is an absolutely essential component of any intelligent, comprehensive plan to address shootings, especially those that are taking place here in the city of Toronto. I think we owe it to our young people in particular to take guns off the streets, and I can't think of anything more powerful in that regard than a handgun ban." (Dalton McGuinty, Hansard, Dec. 8, 2005)

"We, the undersigned, respectfully disagree with Mr. McGuinty and petition the Legislative Assembly of Ontario to take action on violence in young people by providing resources for police and fixing the justice system."

I agree with the sentiments behind these signatures and hereby affix my signature to this petition.

FALLSVIEW CASINO

Mr. Kim Craitor (Niagara Falls): I'm pleased to introduce this petition on behalf of my riding of Niagara Falls. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Falls Management Group made numerous commitments to the city of Niagara Falls when it was awarded the Fallsview Casino contract in 1998," by the previous government,

"We, the undersigned, petition the Legislative Assembly as follows:

"Niagara Falls residents are still waiting for the on-site amenities and the off-site attractors. We believe that the government of Ontario should ensure that all promises made at the time of the awarding of the contract be fulfilled."

I'm pleased to affix my signature to this petition as well. Thank you.

CROSSWALKS

Mr. Tim Hudak (Erie–Lincoln): I'm pleased to present a petition produced by the hard work of Wayne Voakes, a resident of Dunnville, that reads as follows:

"We, the following residents of Haldimand county, hereby request that the crosswalks be painted on the following intersections of Dunnville–Byng, around Grandview school: Rainham Road and Grant Street, Grant Street and Thrush Street, and Second Street and Thrush Street."

There are several hundred signatures to that effect. Thank you very much.

MACULAR DEGENERATION

Mr. Bob Delaney (Mississauga West): I'm pleased to join with my colleague the member for Niagara Falls in this petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration (wet), there are other forms of macular degeneration (dry) that are not covered,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most constituents and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program."

It's my pleasure to sign this petition and to ask page John to carry it for me.

ORDERS OF THE DAY

STRONGER CITY OF TORONTO FOR A STRONGER ONTARIO ACT, 2006

LOI DE 2006 CRÉANT UN TORONTO PLUS FORT POUR UN ONTARIO PLUS FORT

Mr. Gerretsen moved second reading of the following bill:

Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto / Projet de loi 53, Loi révisant les lois de 1997 Nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d'intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d'intérêt privé se rapportant à la cité de Toronto.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Gerretsen has moved second reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2),

to amend certain public acts in relation to municipal powers and to repeal certain private acts relating to the city of Toronto. Mr. Gerretsen.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'm very happy to rise today on this very historic occasion for the second reading of the proposed Stronger City of Toronto for a Stronger Ontario Act, 2006, and I'm sure the members opposite will agree with this bill.

Ontarians want local governments that are responsive, responsible, self-reliant and accountable. Our government has taken progressive steps to provide municipalities like the city of Toronto with the tools and flexibility needed to more effectively serve their communities.

I should say, Mr. Speaker, that I will be sharing my time with my parliamentary assistant, the member from Scarborough Centre, who has done an awful lot of work on this bill as well.

The Stronger City of Toronto for a Stronger Ontario Act, 2006, Bill 53, will enable Toronto to grow and prosper by giving it the authority to make more of its own decisions. It will enable our capital city to determine for itself what's in the best interests of Toronto and its people. The city would have greater flexibility to address its needs and respond to the challenges that it identifies. With the passage and enactment of this bill, Toronto would have more power to control its own destiny. This legislation signifies a new era in the municipal affairs of this province.

1600

It is time for us to carefully examine the new approach for Toronto city government that is proposed in this legislation. It is time to recognize the mature status of the city of Toronto and work toward providing it with what it needs to thrive in the new global economy. The Stronger City of Toronto for a Stronger Ontario Act, if passed, would give the city broad, permissive powers to govern the city.

Bill 53 will give the city a more effective accountability regime by establishing the requirement of an effective lobbyist registry, integrity commissioner, ombudsman and its own Auditor General. This will improve the governance and transparency of the city of Toronto.

It will allow Toronto city council more flexibility to delegate powers and responsibilities to committees, boards and its own staff. This could enable the city to expand local democratic participation.

It will give the city expanded authority when it comes to business licensing. Furthermore, the city would have the power to regulate store closings on holidays, in order to create a level playing field for all shopping districts and better reflect the needs of Toronto's multicultural communities.

The city would have greater flexibility to establish speed limits on its local roads.

It will have the authority to control the demolition and conversion of rental housing, and have the ability to provide temporary housing accommodations to address housing emergencies without having to obtain provincial approval.

It would also give general authority to the city to raise revenues, but with limitations such as no tax on personal or corporate income, no tax on wealth or payroll, no capital tax, no tax on gas or hotel rooms; and no sales tax, except for a tax on the sale of entertainment, alcohol or tobacco.

Our government has been a leader in fostering a strong consultative relationship with the municipal sector. We believe that the relationship between the province and our municipalities should be one of an ongoing and reciprocal consultation. This is far removed from the paternalistic approach that previous governments took. Our government is working towards a new kind of relationship with Toronto, based on a true partnership of equals. We believe that it's appropriate to engage in ongoing consultation with each other about matters of mutual interest.

This is landmark legislation for our province's capital city. Our government has provided extraordinary leadership on this issue. It's not just government members who are saying that; this piece of legislation has received unprecedented praise. For example, Alan Broadbent, chairman of the Maytree Foundation, says: "I salute Premier McGuinty for his clear thinking and political courage in recognizing the importance of cities in the 21st century, in particular, the necessity of giving Ontario's largest city more permissive powers. He obviously believes that making Toronto work is in the best interest of all Ontarians. The Premier clearly 'gets it.'"

Toronto's Mayor David Miller, at a ceremony to mark the introduction of this groundbreaking legislation said, "I want to acknowledge the leadership of Premier Dalton McGuinty. Without his clear vision and persistence, this legislation would not have been possible.... The province has put Toronto in a position to succeed and to realize its tremendous potential as a world city."

Members of the business community have also welcomed the stronger city of Toronto act. I quote: "Finally, we're on the road to ... giving Toronto the powers and responsibilities that it needs and deserves." That's a statement from Toronto Board of Trade president Glen Grunwald when Bill 53 was first introduced. He further noted, "Both Queen's Park and city hall deserve credit for political courage and vision in tackling this challenge."

Leaders in the labour community as well have noted that a broad permissive approach is overdue. John Cartwright, president of the Toronto and York Region Labour Council, described this legislation as "an important milestone in defining a new role for Canada's largest city. It's been a long time coming."

Bill 53 has also been welcomed by those who are very familiar with the corridors of city hall. Art Eggleton, the city's longest-serving mayor, said, "This is a landmark decision. It's about time and should be applauded." He served on Toronto city council for over 22 years.

Experts as well call this bill far-reaching. Constitutional lawyer David Lidstone says, "If the government's proposals are passed by the Legislature, Toronto and the

Ontario government will be 156 years ahead of the rest of urban Canada in terms of the city's empowerment and self-determination. That would make Toronto's citizens gifted and would make Toronto more of an international player."

Toronto Star columnist Christopher Hume summed up the introduction of this bill and the Planning and Conservation Land Statute Law Amendment Act that was introduced last December as follows: "The McGuinty Liberals have grasped the critical role cities play in 21st century Canada."

Both progressive bills were introduced, you may recall, last December, just before Christmas. On the day Bill 53 was introduced, the Premier said it was time to give the people of Toronto the power to control their own future. Others have made the same observation. David Pecaut, chair of the Toronto City Summit Alliance, says, "The province is proposing to give Toronto increased control of its own destiny and the ability to more fully realize its potential as one of the world's great cities."

There have been many advocates for change. Community leaders, academics and interested citizens have advocated for a new approach to city and municipal government. I'm extremely proud of how we have engaged in a positive and fruitful dialogue with so many people and so many organizations that have contributed significantly to this particular piece of legislation. Our government's relationship with the city of Toronto and with municipalities across Ontario is on a more solid footing because everyone has worked hard to cement the bond.

This bill would lay a foundation for a new, mature relationship between the city and other levels of government. The success of Toronto requires the active participation of governments working together in partnership based on respect, consultation and co-operation. Bill 53 is a critical step in realizing the vision that is shared by governments and the residents of Toronto. Toronto is a culturally vibrant, economically strong and environmentally sustainable city. Our aim in the McGuinty government is to allow Toronto to better compete with other major urban centres across the globe.

If this legislation is passed, it would allow the city to pass bylaws regarding matters ranging from public safety to the city's economic, social and environmental well-being. These future bylaws could also deal with the financial management of the city and the accountability and transparency of city operations. These powers would permit Toronto to promote and support things that it wants to see happen, and to regulate or prohibit those that it doesn't. As I mentioned, the city would be able to prohibit the demolition of rental housing or its conversion to condominiums to better protect affordable housing stock.

1610

The joint review of the City of Toronto Act and other legislation helped bring about this important piece of legislation. Officials from our government and the city worked jointly for more than a year to develop a

framework that would appropriately reflect the interests of both the province and the city, and of the citizens of this city. In order to hear the citizens' views and to gather the best possible input, the work of the joint task force was complemented by unique, jointly conducted public consultation. It was the first time that the province and the city had worked together in a public consultation of this nature and scope. The public consultations held by the joint task force were complemented by discussion sessions that were held by Toronto city councillors and Toronto-area MPPs with their local constituents. On-line consultations provided further opportunity for the public to provide us with valuable input.

Again and again, we were encouraged by the time and effort that our citizens made to get involved in this political process. Indeed, public participation was a monumental aspect of how this legislation evolved. Citizens offered thoughtful and constructive ideas. There is no shortage of views and suggestions on how the province should change the way the city is governed and how the city should govern itself. I expect that we will hear more of these views as we consider this legislation in this House and later on at committee.

Our government is looking to give Toronto the tools to determine and manage its own future and prosperity. The same intention can be found in our collective efforts to reform the Municipal Act. We are continuing to consult municipalities, and I'm confident that the end result will be appropriate powers and suitable accountability for all of Ontario's communities in a new Municipal Act.

We recognize that municipal governments today face many challenges. Our government understands that municipal leaders are in the best position to know what their local communities need to prosper and thrive. That's why our government recognized the memorandum of understanding with the Association of Municipalities of Ontario in legislation. We have been consulting with AMO at monthly meetings, and the process is working well. We understand that if our decisions will affect municipalities' bottom line or their ability to get the work done, they obviously deserve to have a say and have effective consultation.

Our government has been working diligently to build important partnerships with municipalities. These partnerships have been essential to implementing positive reforms to the municipal affairs of our province. Our government is also committed to continuing this dialogue with the city of Toronto, the Association of Municipalities of Ontario and individual municipalities all across this province. We are well aware of the challenges that the city of Toronto and other municipalities face, including the fiscal challenges that are the legacy of past governments.

I should point out that our government's support for municipalities does not simply end at legislation. For almost a year now, municipalities with transit systems have been receiving a share of provincial gas tax revenues. The city of Toronto received \$91 million in provincial gas tax funding in the year 2004-05. The city's

share of that provincial gas tax this year will increase from \$91 million to over \$130 million. Last year, our government, AMO and Toronto signed agreements with the federal government for the transfer of the federal gas tax funds to municipalities and for additional transit funding without any clawback by the province. Those agreements will bring about \$1.8 billion for municipal infrastructure over five years and, when finalized, another \$310 million for transit over the next two years. This is the highest level of combined provincial and federal transit funding in 25 years.

We also took a historic approach in these agreements by stepping back and letting Toronto and AMO work directly with the federal government to decide the best way to share the federal gas tax revenues, and we certainly hope that this will continue with the new federal government as well.

Our actions here illustrate how our government recognizes that Ontario municipalities are able, accountable and mature levels of government which can represent their needs for the benefit of their residents.

This level of municipal involvement has never occurred in Ontario or in any other province in Canada.

In addition, gas tax funds are flowing from the federal government to local governments without any clawback, as I mentioned earlier, from the province.

The Toronto-Ontario relationship continues to evolve. For example, a massive expansion of quality, affordable child care and investments in children's early development has been incorporated into the new Best Start program.

Rather than impose this program on the property tax base, our government has chosen to waive cost-sharing requirements on child care funding for municipalities. This will save municipal governments more than \$200 million over the next three years.

Our investments in Toronto's hospitals topped \$3.6 billion in the year 2004-05. At the same time, the province has invested well over \$1 billion in operating and capital support for post-secondary education in Toronto-area post-secondary education institutions.

Also in public education, one of the highlights was our investment of over \$60 million in Toronto's schools as part of the government's initiative to improve literacy, numeracy and English as a second language. These are programs that are now available for struggling students. This funding is designed to support students from low-income, single-parent and recent immigrant families.

We are also seeking to promote sustainable community growth through the proposed Planning and Conservation Land Statute Law Amendment Act, 2005, or Bill 51. If passed, that bill will reform Ontario's land use planning system and clarify the role of the Ontario Municipal Board in the land use planning system.

That legislation will limit appeals before the OMB generally to information and materials that were provided previously to councils. It will also require the tribunal to give greater weight to municipal decisions. Other new tools that would be available include urban design control and zoning with conditions.

The Stronger City of Toronto for a Stronger Ontario Act will provide the city of Toronto with additional planning powers to help address its particular needs.

There are tools that would recognize the unique challenges of the largest city in the province. Many of these proposed planning powers are in response to the recommendations of the Joint Ontario-City of Toronto Task Force report.

When it comes to resolving local planning disputes, our intention is to give the city of Toronto the authority to establish, as of right, an appeals body for local land use planning matters—local matters such as minor variances and consent applications in which there is no provincial interest.

Bill 53 also proposes that the city would no longer require the approval of our ministry for certain community improvement plans that contain financial assistance programs. Through its official plan, the city would be able to establish policies relating to sustainable and energy-efficient design elements, such as green roofs.

By setting design policies and operational parameters in its official plan and site plan bylaws, the city will also be able to take greater control in shaping the appearance and character of new buildings and development. This could include, for example, the city having the authority to implement a bylaw regarding the external design of buildings, including streetscape features.

By encouraging more innovation and sustainability in community design, our aim is to produce environmental and public benefits.

The act, if passed, will also give the city broader authority to undertake economic development without seeking the province's approval, and boost Toronto's competitiveness worldwide.

1620

We are proposing a broadly permissive approach in this legislation. With these new powers comes a requirement for greater accountability. I and this government are confident that the city of Toronto is a mature level of government, a city that capably represents its citizens. Our challenge here at Queen's Park is to provide Toronto with what it needs to get the job done.

As the Premier recently said, our government is strongly in favour of doing everything we reasonably can to put the city of Toronto on a stronger footing, and Bill 53 is an important step in bringing this about. We understand on this side of the House that a strong Ontario needs a strong Toronto.

I will now turn the debate over to our parliamentary assistant from Scarborough Centre.

Mr. Brad Duguid (Scarborough Centre): Thank you, Minister, and thank you for the incredible work you've done on this file.

As the member from Kingston, Minister Gerretsen has done an incredible job on this file, understanding and really getting it when it comes to the needs of Toronto.

I'm pleased to participate today in the debate on second reading of the proposed Stronger City of Toronto for a Stronger Ontario Act. I prefer the "New City of

Toronto Act"; it's a lot easier to say. Actually, I'm more than pleased; I'm honoured and proud to be part of a government led by a Premier who has demonstrated that not only does he get it when it comes to Toronto's challenges; he has the courage to lead us to a better place through this historic bill before us here today.

This is a proud moment for me personally. As many of you know, before the good people of Scarborough Centre elected me just over two years ago to represent them here at Queen's Park, I had the pleasure and honour of serving for nine years as a city councillor in the former city of Scarborough and the newly amalgamated city of Toronto. Frankly, I was happy at city hall. I had the honour to serve on a number of the committees. I chaired a number of the committees. It was a challenging time, it was an exciting time and I was thoroughly enjoying the challenge that was before me there. But while chairing these committees, like the community services and works committee, it wasn't long before I noticed that the damaged relationship between the city of Toronto and the former Tory government was jeopardizing our city's future. Toronto was financially unsustainable, crippled by years of Tory downloading, all but abandoned by a provincial government that did not understand Toronto's challenges and did not seem to care.

I knew that the road back to sustainability and greatness for Toronto could never be taken as long as there was a Tory government at Queen's Park. That's why I made the decision to risk an enjoyable career at the municipal level and run provincially for the Ontario Liberal Party. My primary goal was to work with my colleagues in this House to bring about change here at Queen's Park: change the relationship between Toronto and the province, share the knowledge I had gained through my years at the city, the experience and the love that I had for Toronto, with my caucus and, as it turned out, with the government and with all members of this Legislature here today.

Toronto was losing hope. Torontonians have been losing their confidence.

This bill does not solve all our problems. It will not make Toronto instantly sustainable. It will not make Toronto instantly great again. What it does do is provide our community with the tools we will need to build a city that will be capable of competing with every city in the world.

I believe in Toronto. I believe in our people. I believe that we are fortunate to reside in one of the best places in the world. But I believe just as devoutly that we can do better. What's funny is that it has taken the confidence, courage and faith of our Premier, born and raised in Ottawa, to set us on a path that will ensure that we as a people, a community and a city can once again believe in ourselves and accomplish great things.

The Stronger City of Toronto for a Stronger Ontario Act, if passed, would give our city broad permissive powers for municipal purposes. It would provide for a strengthened accountability framework with a more effective lobbyist registry, integrity commissioner, codes

of conduct and an auditor. It will allow Toronto city council more flexibility to delegate powers and responsibilities to committees, boards and their staff.

In its report, the governing Toronto advisory panel speaks at length about the need for Toronto to have a new governance structure. "City council should spend its time on what is truly important," the panel said. "At present, city council ... spends more time debating items that affect only one or a handful of wards, or issues not nearly as significant as the files it must soon address." I have to tell you, I could not agree more. You just have to sit through a city of Toronto council debate on the budget to recognize this. I have had the opportunity to sit through six of them.

I believe a budget must reflect council's strategic plans to tackle the issues most important to the people of Toronto. It must be a visionary document that funds the programs, the initiatives, the work required to move the strategic plan forward over the coming 12 months, ensuring that by year-end we've achieved our goals and Toronto is the better for it.

Unfortunately, a Toronto budget debate breaks down into a complex web of deal-making that knits together enough support to pass a budget through council by funding a hodgepodge of often parochial pet projects at the expense of addressing the most pressing and important issues and challenges of the day, and at the expense of strategically leading the city to a better place.

Unless we embark boldly on the changes envisioned in the city of Toronto act, unless Toronto city council seizes this moment as an opportunity to forget personal and parochial demands, our city will never fulfill our potential, and what I believe to be our destiny, to become one of the greatest cities in the world.

This report goes on to say, "Toronto needs a government that deliberates and acts strategically—at a city-wide level, with a long-term perspective, and through a coordinated policy...."

"We feel strongly that the mayor should be given the tools to provide strategic leadership for city council," the panel says. "A key tool to assist the mayor is an executive committee." The Toronto Board of Trade believes in that, many of our community, social and corporate leaders in our city agree, our Premier agrees and I agree. As the Premier has said, we're confident that the city council will ultimately decide on such an approach. Although Bill 53 makes provisions for the province to act proactively on the governance issue, we remain absolutely confident that such action will not be required.

When we took over this province from the Conservatives, our government inherited a deficit and increasing demands from our health care system. Despite these great challenges, the McGuinty government has recognized that a strong Ontario requires a strong Toronto, and the relationship between Toronto and the province has gone from a disaster under the Tories to a model for all of Canada under Premier McGuinty. We've taken steps to strengthen the city of Toronto in many ways. If you look at public transit, this city, the city of Toronto, is now

receiving the highest level of combined provincial and federal transit funding in 25 years.

I know there are some doomsayers out there wringing their hands in fear of the unknown and in fear of giving more power and even taxing ability to the city of Toronto. To them I say that if we do not act, if we let Toronto continue on its current road, the risk of losing our quality of life slowly but surely over time is all but certain.

Our city needs a bold new vision. Our city needs the autonomy, the powers, the access to alternative source of revenue that other cities have to succeed and meet our destiny. Premier McGuinty has the confidence in us as a people and as a community to use the tools, which this act provides, responsibly. Our Premier believes in us; the McGuinty government believes in us. I say to the people of Toronto, and particularly to the naysayers, that it's high time that we believed in ourselves.

The Premier said to reporters on the day that Bill 53 was introduced, "The people who have the privilege of serving Torontonians on their council understand that" they're "not going to grow a strong economy, you're not going to be able to support a high quality of life, if you tax people out of the community." That's true. I think it should also be said that Toronto is a mature, informed community that will hold its public leaders accountable for what they do. I have confidence that down the road, should any mayor or council abuse or misuse the powers of this taxing authority, the people of Toronto will be more than capable of holding them to account for their actions.

Every so often, a time comes when elected officials have an opportunity to do something or be part of something that will leave a positive legacy for generations to come. This is surely one of those moments for our history in Toronto. This legislation is just a bill. It can't, in and of itself, make Toronto great, but it is historic in that it provides the tools, the authority, the power that we as a people need to build brighter futures for ourselves and future generations. It is not the bill alone that will make us achieve greatness as a city. It's how we use these tools that will help us to achieve that greatness.

I thank the Premier for his courage. I thank the Premier for his leadership on this. I thank the Premier for believing in us, and I call on all Torontonians to join me in a quest to ensure that our city seizes this great opportunity so that together we can dare to dream about greatness again.

The Deputy Speaker: Further debate? The member for Simcoe North.

Mr. Garfield Dunlop (Simcoe North): I'm very pleased this afternoon—

The Deputy Speaker: Sorry; my error. It's been a long holiday. We're going to have some time for questions and comments. The member for Simcoe North, you were way ahead.

1630

Mr. Dunlop: That's exactly what I was planning on doing, a two-minute comment. It is my pleasure to make a few comments on Bill 53, the city of Toronto act.

It was interesting listening particularly to the parliamentary assistant and his comments about the naysayers and doomsayers talking about the things that might go wrong with this. In his comments, I heard him reflect upon the previous government. One of the things that I guess he should be educated on, and maybe he hasn't been here long enough to know some of the hard realities and some of the hard facts, is that during the Mike Harris and Ernie Eves governments, over a million jobs were created in Ontario. Many of those were manufacturing jobs. What am I seeing today? I'm seeing, day by day, jobs being driven out of this province by the Dalton McGuinty government. An energy policy: You have no idea what you are doing on it. Each and every day, even our gasoline prices are at an all-time high. I can remember you sitting across the road, complaining about the Tory government. Now look at what we're seeing with just our gasoline price alone.

But the big thing I want to concentrate on is the fact that this government is driving jobs out of the province of Ontario day by day. Was it BF Goodrich a week ago? Just last week, John Deere. The pulp and paper industry in northern Ontario: It's almost a disaster situation there right now, and each and every day. We're standing here today, and he's actually standing here, bragging about this pathetic bill. That's what he's doing today: He is bragging about it, thinking it's really doing something, and he's hoping that no one will abuse the powers of it. But the bottom line is that there's no confidence left in the province because of this of this government, the energy policy and the way they're driving jobs, manufacturing jobs, out of Ontario.

Mr. Michael Prue (Beaches–East York): I listened intently to the two people from the government benches debating here today and listened intently to what they were talking about: the city of Toronto. You know, they have great promise in this bill. They talk about how it's going to change remarkably the situation that exists in the city of Toronto, and how the city of Toronto and its politicians and its people deal with this Legislature. Would that that were so. In my own community of Beaches–East York, and in the port lands immediately adjacent to it, there is a community that is intent upon fighting what this government is trying to do around energy. They have the support of their councillors. They have the support of their mayor. They have the support of the waterfront corporation. They have the support of the citizenry.

You know, there was no consultation with this government. This government did not sit down with the city of Toronto and say, "Is this the best use that we can make of these port lands? Is this the best use that we can make of all the plans that were made by Robert Fung?" This is smack dab in the park that we are going to create in the pride of Toronto, in a place where we at one point were contemplating holding the Olympics. Has any of that been discussed? I don't think so. Throughout this entire 100 or 200 pages, many times it talks about consultation. But, you know, there is no consultation. On the very eve

of when we're going to debate this bill, there is a unilateral decision made by this government to take an action which is contrary to the wishes of the people who live there. You know, there's going to be no consultation. I listened to the minister on Friday. I listened to what the Premier had to say in question period today. The decision has been made, and the citizens of Toronto be damned. I think this bill is not going to do what my two learned colleagues claim it will.

Mr. Bob Delaney (Mississauga West): Currently, one in six Canadians live in an area of southern Ontario that we call the greater Toronto area, or GTA. Bill 53 is an essential step in keeping the "greater" in greater Toronto.

As proud as I am of being a citizen of the city of Mississauga, I view our relationship with the city of Toronto as, to quote the minister, "a partnership of equals." Bill 53 is a big step in implementing a set of recommendations that will keep Canada's largest city great. If Toronto is strong and has governance powers balanced with responsibility and accountability for its plans and its actions, then all of us who live in the band of thriving cities all around Toronto will share in its greatness and share in the prosperity and the quality of life that we all create together.

Toronto is a world-class city, and it needs world-class governance powers to exercise its responsibilities to Toronto citizens. Toronto needs permissive power to pass bylaws in areas like the city of Mississauga can. Toronto needs broader authority in such areas as lobbyist registration and the establishment of an office of the auditor general. Toronto needs to address fiscal issues on an equal footing with other great cities in the world. Toronto should not have to look to the government of Ontario in such areas as housing.

Some on the far right of the ideological spectrum beat the drum of taxation. Ontario's neo-cons think that the people who built Canada's largest city know nothing about keeping that city competitive. I disagree with them. Something like half of all those who call Toronto home have chosen Toronto when they could live anywhere else.

Bill 53 is about good government of the city of Toronto and by the city of Toronto for the people and the businesses of the city of Toronto.

Mr. John O'Toole (Durham): It's an interesting bill, and we'll hear more about it. I think the government is moving quickly to offload certain types of responsibilities, in some way giving them the flexibility to raise taxes. But this is not a new issue. In fact, I'd encourage those listening today and those here to read Jeffrey Simpson's article in the *Globe and Mail*. It's entitled, "Don't Groan, We Need a Royal Commission."

This is a long and very complex issue. I'd say you'd have to look back maybe 15 years. When the Peterson government looked at it, they called it the disentanglement report; the NDP looked at it and called it the Fair Tax Commission; and in our term of government we called it the Crombie report, the Who Does What com-

mission. The whole thing is dividing what revenue should pay for what services. I would say today that what the province is clearly doing by liberating municipalities is saying, "Do it your way and raise taxes," so that they won't take any heat for the raising of taxes. In all honesty, this debate is far too important for our common welfare between the cities, where we live, and the province, where we live.

What it is really lacking here is leadership. I say that without a plan you're not heading in a specific direction. Without leadership, clearly, the ship has no one at the tiller. That's what's missing here. There is really no articulation of a vision, not just for the city of Toronto, but for the province of Ontario—and I could dare say that that's where this thing starts and ends.

This is going to be the template for the new Municipal Act. That Municipal Act is going to raise the responsibilities—and the responsibility to pay—at the municipal level. The biggest single issue that most of us are dealing with is municipal property assessment, the MPAC organization, and the whole issue of assessing properties at current value. Persons who are retired on fixed incomes are struggling, and this isn't going to solve it.

1640

The Deputy Speaker: The member for Scarborough Centre has two minutes to reply.

Mr. Duguid: I want to thank the members from Simcoe North, Beaches–East York, Mississauga West and Durham for their comments, and of course the minister for his opening comments on this very historic piece of legislation.

I guess it's not unusual for people, particularly members of the opposition, to look at something that is significant and try to poke holes in it. That's their job, and I respect that. But to suggest that somehow or other there's any comparison between what we're doing here and the work that was done by the previous government is absolutely wrong.

I was there at the city of Toronto. The member for Beaches–East York was there.

Interjection: He'll talk about it, too.

Mr. Duguid: He'll talk about it. We were forced into an amalgamation by the previous government that none of us wanted. We were downloaded on by the previous government to an extent that has made us unsustainable as a city.

This bill is not going to be the panacea that's going to fix all our problems, but it starts that rebuilding process within our city, within our community, to be able to get back on our feet again as a city. Combined with many of the contributions this government has made, whether it be to public transit, whether it be through the uploading of public health, whether it be through many of the other partnerships we've been working on with the city over the last couple of years, the future of Toronto looks bright under the leadership of Dalton McGuinty and this government. It's extremely bright. And you know what? It's a complete reversal from what we experienced

before. This act has the potential to allow the people of Toronto to achieve the greatness they deserve. It gives them the tools, the powers, the authority, the access to alternate sources of revenue, along with measures that ensure accountability to the public that I believe will make Toronto great once again.

I thank you for the time.

The Deputy Speaker: Further debate?

Mr. Ernie Hardeman (Oxford): Thank you for allowing me to put a few comments on record here on Bill 53.

Just before I start, contrary to what the parliamentary assistant just told this House, I wish this bill did deal with some of the issues as they relate to who delivers what services. In fact, that's what is basically necessary in order to deal with the problems that we have in Toronto and in all other municipalities in Ontario as to whether the tax base on property is sufficient to pay for the services that municipalities are today being asked to deliver. I'll talk a little bit more about that as we move along, but I think that's a very important thing to remember. There are two things that come into play here. One is the services that are being delivered, and whether the revenue to cover those services is sufficient to deliver them. This government is not willing to talk about the services that are being delivered. They're coming forward with this bill to make it sound like they have a plan to solve the problems, but when we get down to it, I don't believe that's the case.

Let me start by saying what the goals of this act were supposed to be, according to the minister. They were to give the city broad permissive powers commensurate with its size, responsibility and significance to the province; second, to recognize that in order for the city to provide good government, the city must be appropriately empowered; and third was to foster a strong consultative relationship with the city that respects and advances the interests of both governments.

I don't believe this bill accomplishes that, and as we go through this, we have a lot of areas where people of great knowledge in this area have differences of opinion.

Let me start by stating that AMO asked that the changes to the Municipal Act be tabled at the same time as the city of Toronto act. The government has been saying they've been working on this for a long time, both the Municipal Act and the city of Toronto act, and they were going to introduce them at the same time. The rest of Ontario was waiting for them to come at the same time, but of course that didn't happen. It isn't a surprise, because all municipalities were looking for the same revenue-raising abilities and waiting with interest to see how this would play out. Obviously, the city of London, the city of Windsor and the city of Ottawa have similar problems—they may be a different size, but similar problems—when it comes to the finances of their municipalities as does the city of Toronto.

Mr. Richard Patten (Ottawa Centre): Absolutely correct.

Mr. Hardeman: I don't believe that's incorrect. They all have problems. They're a little bit different size. The member opposite wants to have a debate, and I'm sure he'll get his 20 minutes.

Mr. Patten: I said you were correct.

Mr. Hardeman: Okay. We appreciate that. I thought you said that was incorrect, but you are correct: The problem is the same and it's universal. I thought the changes to the Municipal Act should have been tabled prior to the city of Toronto act so we could see whether the concern that we had shown for the city of Toronto was going to be the same for all municipalities.

But after the fact, after I reviewed the city of Toronto act, I realized that it really doesn't make any difference, because there are very few changes in this bill other than more taxing powers for the city of Toronto. In some areas that are not really the most significant areas in local government, there are changes that give more authority to the city of Toronto, but we will get to those.

In those areas where more authority is given, if you read further in the act you'll find that the provincial government giveth and the provincial government creates the ability to take away, because in each case, they have, by regulation, that they can change, if they don't like what's happening. That's why I think they have now proposed this city of Toronto act to see how that works, and then hopefully they will be making changes to the Municipal Act, 2001.

It would have been simple, and I think that's so important here—it takes a lot of time to go through the process, but I think it would have been much simpler had the government just taken the Municipal Act, done a review of the Municipal Act as they promised, and then included the things that are in the city of Toronto act. They could have applied that to Toronto and to other cities that have need of the same thing.

So let's get to the purpose of the city of Toronto act, 2006. Its intent is to balance the interests of the city and the province, while giving the city "broad permissive powers." A quote from Minister John Gerretsen on December 14, 2005, in Hansard: "The city would have more power to control its own destiny with the passage and enactment of this bill.... Our government believes that the city of Toronto is a mature government that can ably represent its needs for the benefit of city residents. It is time to move forward and give the city the tools it needs to compete on a global scale." I don't disagree with him, except I see absolutely nothing in this bill that significantly changes their ability to help create their own destiny.

But this does not amount to what the city really needs. The city has reported that they have over a \$500-million deficit leading into this year. The taxes bill is purported to give them—all estimates are around \$50 million. That means there's going to continue to be at least a \$450-million deficit in the city of Toronto.

We keep hearing from the government that the city has matured; the city has now grown up, and they need the authority to be able to govern themselves, create their

own destiny and look after the needs of their own people. It's like when the children grow up in a family, and it's time to say, "You're at the age where you are now ready to start out on your own and become responsible for your own livelihood and create your future for yourself," as your children go out to university. But with this, they just decided to say, "And all the responsibilities you have"—that the parents were paying for, that was coming from the province—"will no longer be looked after. In fact, you're on your own; go get it." And incidentally, "We will allow you to increase taxes in certain parts."

Now, if my opinion is wrong on that—I would just read a quote. Last year and for a number of years, the city of Toronto has been having this problem of being short of money at budget time. Last year, when the budget was being prepared, the *Globe and Mail* reported on February 5:

"Toronto should consider increasing residential property taxes above the already-assumed rise of 3% as a way to close its yawning budget shortfall, Ontario's municipal affairs minister urged yesterday.

"There are municipalities in the GTA whose tax hikes for residential properties are much higher than the self-imposed 3% that the mayor ... put on it,' ... Gerretsen said in a telephone interview from Kingston. 'I don't think it is the province's role to ensure that a local municipal official meets'" their targets and their obligations.

So in other words, last year he cut the traces and said, "City of Toronto, you're on your own. Quit complaining. Just raise your taxes to cover your bills." Of course, that isn't what the city of Toronto wants to do. The city of Toronto needs help in finding out how we can control and arrange our costs and make sure that we are covering the costs that property tax should cover, and then to make their budget meet—because the city, at that point, realized that the taxpayers could not stand the great increase that the minister was talking about.

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On December 14, our leader, John Tory, said in Hansard, "Toronto is very much in need of a new relationship, a new series of solutions. I said so many times when I was running for mayor of the city; I said so as one of the founders of the Toronto City Summit Alliance. A lot of good work has been done by many people in many places, and I want to thank all of those involved in the process. But I am concerned that the victory party has begun before that new relationship has really been achieved."

This was when this act was introduced in this Legislature and, in fact, the Liberal government was saying that this was the answer to Toronto's problems, but our leader suggested that this wasn't necessarily going to solve the problems, so we shouldn't have the party yet that all had been achieved. Now, as we read the bill, obviously that's exactly what has happened.

On January 31, our leader said: "It really is quite simple: Increase clarity, accountability and planning, and do more with existing dollars before asking for—or taking—more." This is contrary to Liberal philosophy.

Their answer is, more taxes, more spending will always solve the problem. We think that's wrong. We think that we have to look at who can do what and how it can be done most effectively and efficiently to make sure that everyone is paying for their proper services and he who makes the rules is the one that delivers the service.

Of course, through all this Toronto Mayor David Miller has been pushing for a share of provincial income tax revenues. I guess it's quite clear that's the overall big umbrella of revenue coming into the province. Mayor Miller believes that some of that money should come to help pay for social services in the city of Toronto, so he wanted part of that.

If the legislation is passed, the province will give the city the power to levy its own taxes on—and this is interesting—on entertainment, tobacco and alcohol. I guess that's where the \$50-million estimate comes from as to how much we can generate, but in fact that will not generate the type of dollars that are required.

There are also some problems with raising taxes on those three—what we should call—vices. Entertainment, I suppose, is rather a simple tax, not to administer necessarily, but to impose. In fact, you charge a tax on everything in the city that is entertainment. In some cases, I suppose that will work very well. I expect you can put a levy on a ticket going into the dome or the Air Canada Centre, but some of the entertainment venues would go to areas where that tax would not be included, so that would not necessarily help the city of Toronto.

I would suggest that if it's going to be taxed on the venues that are already there, it might be more appropriate just to create an assessment class and actually charge it as a property tax and the city then doesn't need to charge, especially on the tickets, but could do it right through their property tax structure.

Again, tobacco and alcohol are always favourites of government on which to put taxes. But if you put taxes on tobacco and alcohol just in the city of Toronto, I don't think that's going to necessarily increase the city's revenues, because you will see the purchase of those products just on the other side of the line; I think the dividing line on the north end of the city is Steeles Avenue. Likely the areas where you can purchase those products on the other side of the line will start doing a whole lot better, and the city of Toronto would not likely improve much.

It's so important, with all these taxes, to make sure that if they are only for the city of Toronto—and the government has not said they wouldn't put it in the Municipal Act—I think a lot of the traffic will be going out to spend their dollars and consume services and it will not be a great benefit to Toronto.

The other thing that I think is so important is that we need to start looking at what they're spending and how it's being spent, to make sure that we are getting value for money in all the services that the city is providing and that the province is giving money for, and vice versa, to make sure that they're providing the right services and that the answer isn't the Liberal answer, which is always to just tax and spend. I think an example of that was a

quote in the *Sunday Sun* on February 12. This was a quote from Sue-Ann Levy, who was talking about the issue of the fare on the TTC. They were talking of course about the budget shortfall and whether the province was going to come up with more money or whether the federal government was going to come up with more money. The item goes on: "Without giving it a moment's thought, Chairman Howard Moscoe and the four socialist comrades who sit on the TTC with him rammed through fare increases right across the board. Not one member of the commuting public will be spared—adults, children, students and seniors will all take a minimum 50-cent hit come April 1." Of course, this is this year. "Fact is, no matter how much money comes pouring in from the senior levels of government, it seems there will never be enough to satisfy the TTC."

I think it's important to recognize that that's the problem we have to look at: how best we can provide it, and recognize that there is not an endless amount of money that can pay for the services. I'm not suggesting that the TTC doesn't need more money; I'm just suggesting that we have to make sure that in everything we're doing we're getting value for money.

As our leader said at the Canadian Club on January 31, "Before we rush to implement new powers to tax for city governments—whether in Toronto or elsewhere—why don't we carry out a proper, expeditious examination of federal-provincial-municipal finance first to see how much of our current problem can be solved by using existing taxpayer dollars." It's so important that we look at how we're spending the money at all three levels of government, to make sure the right government is doing the service and that they have the money to provide it.

"The new city of Toronto legislation is welcome in many respects, but we should delay the proclamation of the new taxing powers until after we have both completed an examination of the federal-provincial-municipal imbalance as well as asking the city to conduct a full value-for-money audit of the city government—as I was committed to doing had I been elected mayor in 2003." That's the end of the quote by our leader.

The basic premise is that we should be looking at this—it seems to be a bill to increase the ability to tax when I think it should be a bill to help them work out or to come up with a balance of their ability to provide the money for the services they're being asked to provide.

Just quickly to point out, one of the things we've been hearing a lot of concerns about is the cost of social services in the city of Toronto. We hear a lot of that from outside of Toronto, because of the process they call pooling, where the outlying 905 area has to help pay for the average cost of social services across the greater Toronto area, because the social services tend to be more focused in the centre of the big city. Of course, if the social services were looked at as a greater provincial responsibility, then the pooling would no longer be required and it would help not only the budget in the greater Toronto area but also the budget in the 905 area.

One of the other areas, aside from the taxing, is the authority to license. I think this is a major concern that

we have in the licensing part of the bill. It's not new that municipalities have the ability to license. Obviously, they've been licensing certain types of businesses and certain occupations for some time, but there's some real concern with the ability as to licensing today in the bill. I think it's important that we look at the "Powers re licences," section 86 of the bill: "Without limiting sections 7 and 8, those sections authorize the city to provide for a system of licences with respect to a business...." Then it goes on to list the types of businesses. I think it's rather important to put it on the record the types of businesses that licensing could and would apply to: "to prohibit the carrying on or engaging in the business without a licence...." They can stop people from running any business without having a licence.

1700

Actually, that was in the section of the powers they have on the licence. But in section 85, "'business' means any business wholly or partly carried on within the city even if the business is being carried on from a location outside the city and includes,

"(a) trades and occupations...."

So anybody living in Oxford county and coming into Toronto to work, if that's a business, could be asked to be licensed by the city.

"(b) exhibitions, concerts, festivals and other organized public amusements held for profit or otherwise,

"(c) the sale or hire of goods or services on an intermittent or one-time basis and the activities of a transient trader".

They already have the ability to license certain types of transient trades, but this makes it broad, so that anyone who comes into the city can be licensed.

The next one is a rather interesting one:

"(d) the display of samples, patterns or specimens of goods for the purpose of sale or hire."

So anyone coming in and advertising their business in the city would have to have a licence to do that. I don't know how they're going to regulate someone coming downtown with a truck and having it advertised on the side of their truck that they have a business and work for sale. A house renovator wants to come into town and his trucks advertise his business: I suppose that's a display of "patterns or specimens of goods for the purpose of sale or hire," particularly if he had some windows in the back of his truck that were for sale. I suppose he could be asked to be licensed.

The problem with that, of course, is that the licensing could be very expensive. There is no real limit in the bill on how much they can charge to license any specific business. They could in fact charge whatever they want. If someone doesn't buy the licence, of course, then they have the ability to prohibit them from carrying on the business, or I suppose prohibit them from coming into town. They can also revoke the licence without a reason, and they have 28 days then to come up with a reason.

They can "impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain" or continue to have

a licence. It really concerns me that they could actually license differently for individuals in the same trade. You could say, "Well, we have enough home renovators in the city, so anybody else applying for a licence—from now on we're going to treat the next applicant differently than we've treated everyone else," and that would be legal in there. I think the licensing part and how they can enforce that is a real problem.

There are a couple of other authorities they're getting in this bill that are supposed to make the city work so much better, and because they've matured, they can have these responsibilities. I say that somewhat with tongue in cheek, because I believe that the authority to extend bar hours, which presently are, I think, 2 o'clock in the morning—I'm not up that late very often to see whether it's 2 or 1. The truth is, I don't think anyone would suggest that the city doesn't or shouldn't have the ability to regulate those hours. But I also think it makes absolutely no sense that you could regulate bar hours differently in Toronto than you could in Mississauga or Vaughan or anywhere else around the city, or anywhere else in the province for that matter. I think all municipal governments are in the position to license and to set bar hours.

It's the same with the authority to regulate holiday store openings. Again, the Municipal Act already gives authority to designate certain areas of municipalities to have Sunday openings and holiday openings. This does make it uniform across the whole province, so you don't need a tourist designation in an area in order to have this. But I don't see that this should be unique to the city of Toronto. That type of authority would definitely have no harm in being across the whole province.

What it doesn't include are things such as the Building Code Act, the Fire Protection and Prevention Act, the Planning Act, the Employment Standards Act and the Smoke-Free Ontario Act. It's not that they wouldn't govern it exactly the same way, but we have the ability to regulate bar hours but not what they can do in the bar. So again, I think smoke-free Ontario would cover all of us, but I don't know why they would not include that when in fact they don't believe that the uniform bar hours across the province should stay uniform, where the other one does.

The other thing, just very quickly—I mentioned the licensing and the concerns of that. It's not only my concern as I read the bill but it's also the concern of the Canadian Federation of Independent Business. They have raised this concern. I want to quote Judith Andrew, the vice-president of the Canadian Federation of Independent Business, in a letter that she wrote to me on November 7:

"We are extremely concerned with the lack of in-depth consultation with stakeholders prior to the drafting" of this legislation—and again, this has primarily to do with the licensing provisions. "It is inconceivable that the province would proceed with a matter of this significance without the necessary analysis, study and consultation with stakeholders on specific policy proposals—before legislation is drafted."

Again, I think it's important to recognize that there is a difference. She's not implying that the legislation has

been passed and now the government is going to say, "We will consult on this and we'll have public hearings"—and I'm sure they're going to say we're going to have a lot of public hearings on this bill, not just for the city of Toronto but for all of the province, because of the impact. What Judith is really saying here is that you should talk about these things before you draft the bill. There was a good example of that in Bill 206, which we've just gone through, the OMERS bill. The government members on the committee made the comment, "We're not going to apologize for all the changes we made, when we had hearings after first reading. We're not even going to apologize for all the changes that were made after second reading. We don't apologize for talking to the people." I had the opportunity to sit on committee and said I didn't expect an apology for listening; I expected an apology for not consulting before you wrote it in the first place. That's really the problem here.

This goes on with the quote from Judith Andrew:

"After months of playing coy, Premier Dalton McGuinty has finally admitted that the new city of Toronto cct will give the city new powers to raise revenues.

"As reported yesterday, the Premier is willing to give Toronto greater authority, even as he worries that the whole plan could go sideways if the mayor and council don't use their new powers wisely. It's a scenario the business community has feared since the plans for the new legislation were announced. Past experience with property taxes, city procurement and municipal regulation have shown small business owners that they can count on unfair treatment from the mayor and council."

Now, as the member for Oxford, I've also received many e-mails from members in my riding. I'll read one of them now. This is again going to the same problem. This is a member of the Canadian Federation of Independent Business.

"I am a resident of Woodstock and also a member of the Canadian Federation of Independent Business.... The reason for this e-mail is to let you know that I oppose the introduction of this legislation without meaningful consultation and without full details being released to the public. I am also opposed to the idea of granting more revenue-raising and regulatory powers to municipalities. I would like to know your position on this matter and would like you to go back to your caucus and seek a postponement. I look forward to hearing from you."

Obviously, they also are not very pleased with this piece of legislation. I've got quite a number of those in my riding, and it's not because I live in the 416 or the 905. It's far from Toronto. I'm sure all the members opposite who represent more distant ridings and rural ridings will realize that the small business people in our communities are concerned about this legislation, not so much for what it does in Toronto but for what it will do as it spans out into the rest of the province. I think they're all assuming it's a given that if these types of authority are given to city of Toronto council, they will also go into the rest of the province.

Just a few months ago I was in this House, and we were debating Bill 37, the Respect for Municipalities

Act, 2005. I stated then and I'll state again that the Minister of Municipal-Affairs and Housing has introduced a "no respect for taxpayers act." This bill is a groundbreaking demonstration of how the McGuinty Liberal government is committed to tax and spend and now allows municipalities to do that.

1710

The Canadian Federation of Independent Business at this point agrees with that scenario. The answer to all the problems, both in the city of Toronto and in the province, in the view of the Liberal government, is to just increase taxes and spend.

Again, I think we want to make sure that they look at that, as they didn't do with the OMERS bill, look at what impact this will have not only on the city of Toronto and all of Ontario but on the taxpayers as opposed to just municipal governments.

We will all remember, as I just mentioned, the debate on Bill 37. We will remember that Bill 37 was the act that the government introduced after having the Premier, for all to see just prior to the last election, signing the Taxpayer Protection Act, agreeing not to raise taxes. Then of course, realizing when this bill was coming that he was going to allow the three areas of taxation which are also provincial areas of taxation, he realized that according to the pledge he had made to the taxpayers federation he couldn't bring this bill in, so they brought in Bill 37, which was in fact saying that if they transferred their taxing authority to another authority, which would be the local government, they wouldn't have to have a referendum. Of course at that point he said they could then increase taxes on behalf of the provincial government. I suggested that maybe they were just doing that so they could get by the fact that they said they wouldn't raise taxes; they would just have the municipalities do it for them. Obviously that's what has happened here.

Talking about the city and the money, in the Toronto Star, David Miller, the mayor of Toronto, said—this was when the province gave him the money from the gasoline tax. I think what's interesting here is that the city needs the money, but it's not good enough to just say, "Well, here's the money, but then you're not getting the other." They need more money if they're going to deliver more services. "It's very good news that Dalton McGuinty delivered on his gas tax promise," said Miller.

"But, unfortunately, we're in this seemingly endless provincial and federal way of moving the cheques around and that does not support the needs of the people of Toronto."

The minister mentioned this, that this was when the city got \$91 million from the gas tax. I can't understand this, but Mayor Miller said in the Toronto Star on October 27, 2004, which goes back a year, so this debate has been going on for some time, "We are worse off than we were before." After he got \$91 million because of the sleight of hand or the changing of the way they were passing out the money and the services that they were asked to present, they were actually worse off.

Maybe it's by design, but maybe it's just incompetence or we don't understand what's happening, but this bill, to me, is a lot like the OMERS bill. There was some discussion about that in question period today, that there are some similarities.

The OMERS bill is the bill that changes—at least we were told the intent of the bill was that the governance of OMERS would change from the provincial government to the municipal government and the employees of municipal government, so it would be run by the people involved with the plan as opposed to being run by the provincial government.

The bill was introduced and given first reading, and then it went to committee before it went for second reading, and then amendments were made. There were some 140 amendments—just a little over 100 the first time—introduced and some 60 of those were government amendments. This is between the time that they had written the bill—before it ever got into the House for debate, they decided that it needed 62 amendments, not just word corrections but total changes in the bill.

It then came into the House for second reading. There was no debate during second reading. That was just before we recessed. It went back to committee, and during the recess we had another number of days of hearings on it, and the government introduced 40 more amendments. Now, some of those amendments were beyond the 60 and some were amending the previous amendments. But when the Legislative Assembly printed the bill and gave it back to committee, they printed it in two colours: that which was the original and that which was amended. The original is black and the amended is blue. If you look at the bill, about two thirds of it is blue. So obviously we didn't really look at the original drafting of the bill to make sure that it accomplished what they wanted to accomplish.

When it was introduced, the minister came to the committee and suggested that all was well and it wouldn't take long to have the public hearings because we were going to hear a lot of good reports on this bill, because this was really good stuff: Municipalities had been asking for years to have the plan devolved and everybody was going to like this approach. Of course, we started getting people coming in and we didn't have anyone, to be honest about it—at the end of the public hearings after first reading, nobody supported it anymore. They did make some amendments to bring some of the groups back on side, but a very small number of them. The largest participant on the employee side in the plan is totally opposed to the bill; the management side of the plan is totally opposed to the bill. The government said, "We're listening, but we're going to pass it anyway because"—I guess I don't have a good reason. They said it was because everybody was asking for it. Now we have no one left asking for it, but the government is going to proceed with it anyway. So I think that's rather a telling thing about, "We're doing the consultations, we're looking at these bills, but what really is being said and what we're hearing doesn't make that much difference."

The reason I bring up 206 is that I think it's very important that we don't end up with the same thing here, when we see the bill and what's in it. It doesn't really do what we all had hoped it would do, which was to give the city of Toronto the ability to deal with its own affairs. It's really just a bill that is a rewrite of the Municipal Act with a few added features that the government wants to impose on that.

The other connection between the OMERS bill and this bill that bothers me a little is the fact that one of the presenters on the OMERS bill came forward and said that no one seemed to be talking about it, but that if you looked at the OMERS plan today, there was an unfunded liability risk coming forward and the sponsor of the plan would be liable for that. In fact, the bill changes the sponsor of the plan so the liability would change, as to who would be responsible for that unfunded liability. That's a bit of a concern, but I guess the reason it relates back to this bill is I have some concern that what we're doing here is devolving some of the taxing powers and some of the licensing powers so we can stand back and say, "City of Toronto, it's your problem." There's nothing in this bill that's going to help the city of Toronto with the TTC. There's nothing in the bill that's going to help the city of Toronto meet their objectives in social services. I think those are the types of things the city is looking for that they're not getting.

The other thing—and I mentioned it earlier—is the issue of the authority that they are giving the province. Presently in the Municipal Act, municipalities can decide the makeup of their council; they can decide the makeup, if they have a ward system and how they create their governance—it's already in the Municipal Act. That part of the new city of Toronto act is a similar approach. But the province has decided, and the Premier has spoken out about this a number of times, that they really want a different style of governance in the city of Toronto. They want what they call a strong mayor approach, where the mayor has more authority than just as a single vote within the context of the council. Now, I think they've left that direction with the policy-makers at the city of Toronto and in council. And if that works out, then, "We gave them that authority, and they did what they wanted to do."

1720

The province has also decided in this that if they don't like the decision of city council as it's structured and the new way they structure it, then by regulation, by order in council they can put in a new style of governance in the city of Toronto. I don't know how you can backstop a city decision like that and then say, "Oh, we're giving you autonomy. It's time that you had control of your own destiny."

There are absolutely no extra powers in the city of Toronto act given to the mayor to appoint certain people. I know the mayor has suggested that was a good idea, others have suggested it wasn't, but there are no special powers in the bill to deal with things other than as a straight member of council; he's only the chief executive

officer. But they can, by regulation, as I said, overpower that and they can just send in a regulation to say this is the way it's going to be.

The city can also appoint boards and commissions, except they're told that there are certain boards and commissions they must have, which of course includes everything they've got today—or I shouldn't say everything, they may have more than are there. The boards that already exist must be maintained by the city, and those include the TTC, the police services board, the board of health, the Exhibition Place board, the Toronto zoo board, the library board, the historical board and the licensing commission. Again, if we're going to be free and open and we're going to be able to direct our own destiny, I don't know how we can put such limitations on that by suggesting what they can't do.

It's the same with the delegation of powers. They can delegate powers, but then there is a list of powers that they can't delegate. Of course, it's not surprising they can't delegate budget authority and so forth, but one has to wonder why they can't delegate some of the other things.

One of the other areas is the area and responsibility of housing. The minister mentioned a time or two that the city of Toronto shouldn't have to come to the province to make housing decisions; that should be a city decision. One of the legal people who did some review for the housing people said—let's hear a quote from the legal firm: "One area in which the province appears to have maintained its opportunity to hedge its bets, is in the area of retaining regulatory powers, whether full-scale regulations by the Lieutenant Governor in Council, or as increasingly appears to be the case, empowering the Minister of Municipal Affairs and Housing to make regulations through a less formal process not subject to the Regulations Act, dealing with technical matters, or circumscribing the powers of city council."

When a professional legal person looks into the act, it's something that I wouldn't have seen if I was reading it and I'm sure that the general public wouldn't have seen, but it concerns me when we say we're giving the city this local autonomy but somebody is watching. Big Brother is always watching; Big Brother can change that. I think we should be very cautious, that if we're going to put limits in place, let's be clear and open about it: "No, you don't have that authority. We want you to do it, but the province will be watching you."

One other area that Bill 53 deals with is the appointment of mandatory officers for accountability: the Integrity Commissioner, Ombudsman and the Auditor General. They've always had the ability to do that, but now they must do that in the act. I don't object to "must" do that. I don't know why the government would portray that as a plus—"This is part of your local autonomy, you must appoint these people"—where no one else in the municipal realm has to do that. So I'm not sure that the "must" is going to improve the—

Mr. Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Didn't you just say we should define the limitations? Didn't you just say that?

Mr. Hardeman: What did I just say? I hope you were listening.

Mr. McMeekin: That the government should define the limitations—

The Deputy Speaker: Excuse me, gentlemen, but I feel a little left out of this, really. You should be speaking through the Chair and not directly to the member.

Mr. Hardeman: Mr. Speaker, I have been doing my best to speak through the Chair. It's the member who spoke directly to me.

The Deputy Speaker: In that case, I'm reminding both of you.

Mr. Hardeman: I appreciate that and I would agree with you.

I would just point out that putting in limitations is a good thing for anything that we do, but telling them what they have to do as opposed to what they may do is not the way I would call putting in appropriate limitations.

I would just point out here that there are a couple of other things that the act does. One is the ability to affect design in the Planning Act. There are a lot of things in the Planning Act that don't change. The Planning Act is one of the acts that stays in place for the city of Toronto, save and except there are some amendments that they will get more authority over than what the rest of the province would get. They can affect design of buildings and the exterior of buildings and so forth.

The Greater Toronto Home Builders' Association, in a letter they wrote to the Premier, said, "Design should not be decided by city government—it should be left to the creativity of the many qualified architects and designers in the province. Giving the power to control 'good design' to a city bureaucracy is totally wrong-headed." I think this is important. Maybe the Premier did listen to that as they developed this policy—I don't see anything in there that he did—but it would seem to me that that's the type of thing they should have heard before they drafted the first draft of the legislation, to make sure that was still what they wanted to do. I attended a seminar on that, and there was great concern about the city deciding on certain types of exterior finishes that would dramatically increase the cost of the building. Now, is that really what the people of Toronto—not just city council—wanted, the brick instead of the glass, because it pleases one or two people on the planning board, as opposed to serviceability for the people of Toronto? Those are the types of things that are of some concern.

The other thing I found rather interesting—being from Oxford county I suppose it struck me—is that under the environmental controls the city can also regulate green roofs. In my case, we have red roofs. We don't like to have black because they attract the sun too much, but we have all kinds of roofs. I didn't realize a green roof is allowing the building of a garden on the roof. One of the things that act says is that it has a sunset clause on it. If that's a good idea, why would that be limited? It would be time-sensitive. I guess that would be a question that we could ask.

The other area is some of the planning decisions, such as under land use planning. The authority to create appeal boards after the decision-making will assume that the city has delegated their authority to a consent authority or to a committee of adjustment, and then the city can appoint a body to hear appeals to those decisions. So we would have an appointed board and an appeals authority both appointed by the city. The problem of course is to establish the ability, the things that they would be able to decide, and how you make sure that we don't end up with the problem that we make the decision based solely on the objector as opposed to on the proponent.

Again, a quote from the Greater Toronto Home Builders' Association on July 26: "Municipal politicians have demonstrated time and again their susceptibility to the pressure of local residents when they make NIMBY (not in my backyard) arguments. The OMB provides an essential check on local political influences."

This refers to the fact that we shouldn't have the appeals body appointed by the city. This should be an Ontario Municipal Board decision.

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Going to the rental housing approach, I quote from WeirFoulds. It's a letter from the lawyer to the Federation of Rental-housing Providers of Ontario: "This new approach begs, of course, an analysis of the ways in which the city of Toronto really is different from other municipalities and communities throughout the province of Ontario, and whether it is appropriate that it be treated separately and differently, and given virtual legislative independence in so many areas, in ways not similarly applied to even the large municipalities in the province.

"It may, of course, be the case that the city of Toronto act is a form of trial balloon, and if the city shows that it can handle its new-found powers and jurisdiction, similar provisions will be extended to other municipal governments."

I said earlier that a lot of what is in the city of Toronto act can be found in the Municipal Act, and I will read the following quote. This is again from WeirFoulds: "Many of the provisions in the new act are simply re-enactments, in the proposed city of Toronto act, of provisions already existing in the Municipal Act, the Planning Act, Bill 51 and other legislation."

Again, I will quote John Tory: "It really is quite simple: increase clarity, accountability and planning and more with existing tax dollars before asking for ... more" and more.

I'll quote from the website of Tourism Toronto, because I believe that they sum it up well in describing Toronto as: "Every city has a story, and Toronto's is written by the people: in several languages, in poetry, in song, in sidewalk art, in restaurant menus, in architectural blueprints, in scientific discoveries—even in legislation. Toronto is a city built with and for the limitless imaginations of the people who come here to live and those who come here to visit.

"Toronto isn't just diverse, it's the most diverse city in the world, and that leads Torontonians to look at things a

little differently, from the perspective of a hundred cultures. Two transit tokens can take you from one country to another, passing along the way through the quaint neighbourhoods that make up our intimate metropolis. It's a place of energy exchange."

Let's make sure we get this legislation right the first time. All municipalities in Ontario are waiting because they expect, through the Municipal Act, to receive the same opportunities that the Toronto act legislates for this great city. Toronto deserves a good and supportive piece of legislation that will do what it needs done, not Bill 53 as it's presently written.

Thank you very much for allowing me to take a few minutes to put some of the points and the problems that I see with Bill 53 on the record.

The Deputy Speaker: Questions and comments?

Mr. Prue: The member startled me a little by sitting down; I was expecting him to go on for his other eight minutes. But he did summarize, I think very well, in the 50 or so minutes that he took, his party's position on where he thinks this act should go.

I have to agree with him on some of the points that he made. I don't think that the act goes far enough. The real issue for the city of Toronto and for the council and the people who live here is not so much one of governance, as much as the governance has been a problem ever since amalgamation; the real problem is one of financing. The real problem is getting sufficient monies to the city of Toronto.

In fact, the city of Toronto is not unique. Virtually every municipality in this province is having financial difficulties because of the download. When it becomes my opportunity to speak to this bill, I want to spend some considerable time on the download. I want to spend some considerable time explaining what would actually work to the benefit of all of the municipal structures and all of the municipalities in this province, and that is money. I don't want to sound like Jerry Maguire, but, "Show me the money." It isn't enough to say, "You don't have to come to the province to put in speed humps. You don't have to come to the Ontario Municipal Board on matters of minor variance," which this bill contains.

I'm not opposed to those kinds of things. I think that they're probably fine. But what is missing here, throughout this entire debate and throughout this entire bill, is the power and the authority of the municipalities to have sufficient money to make the municipal governments work. That's what I'm hoping the debate will revolve around; that's what I intend to spend some considerable time later today and on the next occasion talking about, and I'm hoping my friends on the government side will explain in more detail how they will empower the city of Toronto and all other municipalities through financing.

Mr. McMeekin: One of my favourite poets, Aeschylus, once wrote, "In our sleep, pain which cannot forget falls drop by drop upon the heart until" finally, "against our will, comes wisdom through the awful grace of God." As I listened to my colleague opposite, I had moments when I thought he was approaching an articu-

lation of wisdom and other moments when, frankly, I didn't have a clue what he was talking about.

I want to just say that we're trying, on this side of the House—maybe not as well as we could do it, but I think we're trying: We're aspiring to, some daring to, remember our history as we try to imagine our future. The member opposite talked in passing about not downloading responsibilities without consultation, and certainly don't do it without providing the revenue tools; I heard him say that. He talked at one point about too much authority being granted, then he got into that red roof, green roof stuff about too little authority, and then he said that it does nothing about the TTC or social services.

Then he said something about AMO saying, "Don't do this unless you do that." I can recall, when I was mayor of Flamborough, we begged—begged—the provincial government not to do amalgamations, social services downloading and market value assessment all at the same time. You laughed at us and you did it anyway. You, sir, and I say this to you respectfully, your government went out and got the best advice money could buy, the David Crombie commission, the so-called Who Does What commission, before you completely ignored it, and in the process you debilitated cities of somewhere between \$1.8 billion and \$3 billion. Shame.

Mr. Cameron Jackson (Burlington): I'm very pleased to have listened to the debate from the government on Bill 53, the city of Toronto act. I've listened very carefully to the very clear and very measured statements from my colleague from Oxford, himself someone with an extensive municipal record, and quite a proud and distinguished one at that.

My comments will be brief. My concerns here have to do with some of the larger issues with respect to why we've created, yet again, legislation solely for the city of Toronto.

I had occasion to be out with Hazel McCallion at a function last week. Incidentally, it's Hazel's birthday tomorrow. Being a gentleman, I'm not going to say what number it is. I'm just going to say that Valentine's Day is a special day for Hazel, and—

Mr. Prue: She's proud of her age.

Mr. Jackson: Yes, she is very proud of her age.

She had expressed some concern about giving municipalities far too much taxation power, and she has seen circumstances in the past where there were not the checks and balances that were required. For example, we live in a province that has had historical debts in certain factors, whether it be workers' compensation, whether it be hydro or others, that are added to the public debt, and we live in a province where that hasn't been contributed to by municipalities because they haven't had the ability to carry very large debts over time. So there are many of us who are saying that we should be understanding the true motive behind this kind of legislation and watching the city of Toronto act much in the same way and fashion as this Legislature now: wanting its own Integrity Commissioner, wanting its own Ombudsman, wanting these

levels of services that other cities, quite frankly, are asking why, and when will it be their turn.

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): Certainly, being a member from eastern Ontario, some might say, “Why is Jim Brownell standing in the House commenting on this?” But it’s very important that I comment. I think the residents of Stormont–Dundas–Charlottenburgh and the city of Cornwall understand the importance of the city of Toronto and its position as the economic engine of this province. We know that. We certainly have some economic problems in eastern Ontario which the Premier and my colleagues in cabinet are working hard on.

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You know, when I look at this legislation, I look at the public consultation that went on to bring this about. This is really the first time that the province and the city of Toronto worked together in a public consultation forum to get a bill right, to put ideas into a bill. I think we can be proud as a government that we did form a joint Ontario-city of Toronto task force to do that very thing: to develop a series of recommendations and to bring those recommendations into formulating this legislation. I’m proud of that. To think of the many, many people from all walks of life who contributed—that’s important. That’s what I see this government doing.

I know that in eastern Ontario we have had some economic problems. But I saw last spring—late spring and early summer—that Minister Cordiano came down and worked very hard; he organized a round table to bring economic leaders together through a consultation process so that we can get things right and we can as a government work with our community leaders. I think this is exactly what is happening with this bill. We worked with them; we have the bill now. I am proud to be here in support of the bill.

The Deputy Speaker: Member for Durham, you have two minutes to reply.

Mr. Hardeman: Thank you very much, Mr. Speaker, but I’m not from Durham. We’re close to Durham; next door.

The Deputy Speaker: Member for Oxford.

Mr. Hardeman: Thank you very much, Mr. Speaker. I want to thank the members from Ancaster–Dundas–Flamborough–Aldershot, Beaches–East York, Burlington, and Stormont–Dundas–Charlottenburgh for their comments.

I do want to say very quickly in wrapping up that the challenges that are facing municipalities were mentioned. Some of them are related to who does what and the Crombie report and so forth. I’ll stand here today and say that I accept that some of those challenges are there. Times have changed; things have changed. Social services proportionate to the budgets have totally changed. This government is in the position to change that and look after that. They seem to be not willing to do any of that.

In my whole presentation, if there was one thing that I was trying to get across, it’s that there’s more to creating

the city of Toronto as the city it should be than just giving it more taxing powers. We have to look at who does what; we have to review the services that are being provided, and can they be provided on the tax base that the municipalities have, or should we be looking at realigning those services? Our leader has said, since he has been our leader, that he is willing to look at those with the municipalities and with the federal government to find who should be doing what in the total scheme of things.

This bill seems to just deal with putting more taxing power—not changing the structure, not delivering the services better and more efficiently or in the most effective and efficient manner. This is just looking at more taxing power, and this will supposedly solve the city of Toronto’s problems, and eventually provincial problems. I don’t believe it will. I believe they have to do more, and this act does almost none of what they said it was supposed to do, which was to make Toronto a better city and help them govern themselves and direct their own destiny. This act does not do that.

The Deputy Speaker: Further debate?

Mr. Prue: As happens to me so often, I am in the unenviable position of having 16 minutes to deliver a one-hour speech or cut it in half—or in one quarter and three quarters, to be more technically correct. But I’m going to do the best I can.

First of all, because there are so many things I wanted to cover, I’m going to cut this speech up and deliver the lion’s share of it, as I have to because time permits that, on the next occasion. Today I want to talk about amalgamation and what amalgamation has meant to this city. I want to talk about how downloading has hurt not only Toronto but literally every single municipality across this province. I want to talk about the inevitable mess that one could see and should have foreseen when all of this transpired in 1997, and how we have to try to get ourselves out of it.

If time permits, I will go on, but more than likely on the next occasion I want to talk about the consultative process that is contained within this bill. I want to talk about the provincial override that does away with some of the consultative process. I want to talk about the governance structure that this bill contains and again how the provincial override might negate some of what the city of Toronto politicians and people of Toronto want to do. I want to talk about electoral reform that the city of Toronto has been advocating and asking this Legislature to undertake now for a number of years and how this bill will put that off until after the upcoming 2006 elections.

I want to talk about the licensing of taxis, because that was a contentious issue before we broke for the winter break, for the Christmas break: the licensing of taxis and how it was said at that time that the city of Toronto bill would help the city of Toronto taxi drivers to end scooping in Toronto and how in fact it does not. I would like to talk—on the next occasion, in all likelihood—about the deficits that the city of Toronto and all municipalities are starting to face because of the downloading

and because of the lack of taxing powers that they have. I want to talk about uploading the download. To coin a phrase, I think that's what we need to get across to the public and to the members of this Legislature: that the time has come to upload the download. If we are going to resolve the problems of municipalities, it has to begin there.

I want to talk about property tax reform, which many have advocated and which is not contained within the body of this bill but should have been. I want to talk about the options that the province has of giving a percentage of the PST or perhaps a sales tax exemption that some municipalities asked for. I want to conclude by talking about all of the other cities and the problems that they face, because the problems of Toronto are not unique in every respect. Yes, it's the largest city, and yes, I guess the problems are compounded and manifested because there are 2.5 million people, but the same types of problems exist in Hamilton and they exist in Ottawa and they exist in London. They literally exist in any of the larger cities of this province.

Back to where I wanted to start from—hopefully I can get all of that within an hour—today I want to start with the amalgamation and what happened in 1997. In 1997, in this very Legislature, Mr. Leach, who was then the Honourable Minister of Municipal Affairs and Housing, stood up and announced he was going to amalgamate the city of Toronto, and while he was at it he was going to amalgamate a number of other cities. He did so, and in fact we've seen what has happened to most of those cities as a result of that amalgamation. The government did not care, not for one minute, what the elected representatives had to say. The government at that time did not care, not for one minute, what the citizenry of all the affected municipalities had to say.

At that point I was the mayor of East York. I remember quite cogently and clearly, even to this day, how we were informed of what Mr. Leach had planned. The six mayors and the metro chair were called into a meeting one evening in a ministry office not very far from here and sat down in front of then-Minister Leach and were told unceremoniously that he had big plans. He had the big plans that he was going to amalgamate the six municipalities and Metropolitan Toronto into one unit. We protested. I think the one who protested loudest was me. I remember asking him the question, "Why are you doing such a thing? Is it because we are not financially secure?" He said, "No, you're all financially secure." I said, "Is it because we are all paying down our debts and have virtually no debts?" He said, "No, that's not the reason." Then I questioned him further and further: "Are we not providing a good governance structure? Are the citizens unhappy?" The answer was, "No, no, no," to all of the questions that were posed. Finally I asked him, in desperation and complete anger, "Then why are you doing it?" He looked at me and said—and these were his exact words—"Damned if I know, but I have to do something." That was what this was all about: "Damned if I know, but I have to do something." So he embarked

on what had to have been one of the most brutal and repressive actions of this Legislature against the citizens of its own province.

I participated in a lot of the debates in the weeks and months that went after that. I participated with ordinary people who were fearful of what was going to happen to their municipalities. In my own beloved borough of East York, we had only one year left until all of our debts were paid. We had a new municipal structure. We had happy people, where more than 90% had said they were satisfied with municipal services. We had a great workforce. We were really, I thought, doing some wonderful things. I was very proud to be a member of the municipality of Metropolitan Toronto and one of the 28 people plus the six mayors who sat on that council. We did all of the regional municipal things, important things like the TTC and the police. We did important things that went across municipal boundaries.

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In fact, throughout all of that period that led up to the amalgamation I remember that people came from all over the world to watch a municipality that worked. They came from all over the world to see a municipality that was not in debt, where buildings were going up, where people were plugged in and where everyone seemed to be happy.

I have to ask, what has happened to that wonderful city? I've lived here my whole life. Can anyone here today honestly tell me—and I would particularly ask my friends from the Conservative Party—that they think Toronto is better today than it was before amalgamation? Can they tell me that the streets are cleaner? Can they tell me that the number of staff who work for the city has gone down or that there have been cost savings? Can they tell me that the governance structure works better than the governance structure before? Can they tell me that the citizens and the boards that those citizens sit on are plugged in and actually doing something in making decisions that people care about? Can any of those things be said about the new city of Toronto? I'll tell you, they can't.

But one of the worst failings is that this city that used to work, this city that had councils that carefully watched how the pennies were spent, is now finding itself deeper and deeper in debt, not just because of the downloading, although I'll get to that in a minute, but also because it has become impossible for politicians, bureaucrats and ordinary citizens to have a handle on what is happening with the \$7.7-billion budget.

It became very easy for things like MFP to happen. It became very easy for people to just walk away when the agendas got so big that they couldn't read it all. It became very easy, and we saw this only a couple of months ago, where politicians put their hands up to give a raise to non-union employees and suddenly found out a week later they'd given one to themselves. It becomes very easy when you have thousands of pages that you have to read on a weekend. It becomes very easy when the structure becomes so big, so impersonal and so far

away from the community that quite literally anything can happen.

I remember that first term. I remember that first day going into the new megacity of Toronto. There were 56 councillors and a mayor. We sat around the table. That was more than half of the people who can sit in here. We sat around a table and Mel Lastman, ever the jokester, rolled up two pieces of paper and pretended he had a pair of binoculars to see the far end of the table. He was trying desperately to learn who all of these strange faces were. He didn't know some of the people involved in the room.

On that day I remember him talking prophetically about what he wanted to do and what he was going to do in his first term. You see, he'd just been elected by a fairly narrow margin. You all remember that. He defeated Barbara Hall, who was, before that, the mayor of the city of Toronto. Mel Lastman had come from North York, and he believed—and I believe he believed with all of his heart—that he had won the election because he had promised there would be no tax increase in the first three years. Do you remember that, “No tax increase”?

You have to remember that it was imposed, and do you know how it was imposed on the city of Toronto? It was imposed because Mel Lastman, and Tom Jakobek, who was his finance chief—I warned him about that too, but he insisted that Tom Jakobek was the right guy because he was the only guy who was brutal enough to make sure there would be no tax increase. I don't know how true that was, but those were Mel's words.

What he did, and what Tom Jakobek did, was systematically raid all of the reserves of the former municipalities, the city of Toronto and Metropolitan Toronto, to ensure that there was no tax increase. Every year the taxes were flatlined even though the costs were going up. The taxes were flatlined; the costs went up. The taxes were flatlined; the costs went up. At the end of three years there was no reserve to be had—no reserve; all gone. Everything that six municipalities in Metropolitan Toronto had spent 100 and more years holding on to, every single penny they had, was gone. Of course the people were very happy; they didn't get a tax increase even though the costs to the megacity were enormous.

I'll tell you, the next term came and Mel Lastman was again elected, and Mel Lastman again said that he was going to try not to have a tax increase. But it was impossible by that point to live up to that. It was absolutely impossible because the money, quite frankly, had to be found. Mel Lastman didn't know where to find it, so you started to see little bits of tax increases, but they were not sufficient. Again things were raided. Again the city did all kinds of strange things by selling little bits of property and fiddling, what an auditor can do, with books and changing the books over here and moving it to this and moving it around. It was a shell game. At the end of those three years, all of that happened. Now, of course, there are no reserves, there are no more shell games to be played and there are no more poles to be sold to Hydro, which you own yourself. There are none of those things

that can be done, and the city has found itself in a \$500-million deficit.

How do they get out? I was reading today's paper. The Toronto Star today says that they've found a few ways. They think they're down to \$412 million. They've had to put off the money that was going to go into reserve to pay for pensions. They've put off money for roads and sewers. They've had to put off money for the TTC and a whole range of things. That's all not going to happen again this year, and they're down to \$412 million.

I know what's going to happen and everybody in this room knows what's going to happen next week. Mayor Miller is going to walk up University Avenue with David Soknacki, the budget chief, and he is going to meet with finance officials and do something I never thought a mayor of Toronto would ever have to do: He's going to have to come again, cap in hand, and he's going to be asking for a bailout, and he's going to ask for a bailout like he asked for last year and he's going to need a bailout even bigger than he got last year from this province. It saddens me to think that before amalgamation and before the download, that never happened at all. The city of Toronto was sustainable, East York was sustainable, North York was sustainable, as were Scarborough and Etobicoke. I can't say that the city of York always was. I'm going to be honest. I can't say that they were always sustainable, but I think they could have struggled, and they might have made it, too.

I've got about two minutes. Now we've got Bill 53. I have looked forward ever since 1997, ever since that awful day I was told we were amalgamated, ever since Minister Leach and the Conservatives all sitting out there ignored the will and the wishes of the people of Toronto who voted in a referendum some 75% not to be amalgamated—my own borough of East York was 82%. The people did not want it because they knew what was going to happen, and they resisted it with all the strength they had. But, you know, it's there, and now we have an opportunity to change. I would have loved to see something radical, like those radicals in Quebec. When they turned around and had a group, the Parti Québécois, who decided against the wishes of the people of Montreal and Quebec City and Hull and all those places—they were going to amalgamate them. They allowed the people to vote, following the next election. A good portion, nearly half of them, voted to de-amalgamate.

I want to tell you that the problems in Quebec City, Montreal and Hull, where they've gone back, are almost nonexistent. The problems exist with amalgamation, with the large size. The problems exist with cities that are incapable of looking after themselves. And we have a bill here which is going to try to tinker on the edges. It's going to try to say, “We're going to give this megacity some enormous new power,” although it is a kind of minuscule power, “and hopefully everything is going to be right with the city that used to work.” Quite frankly, it's almost impossible for it to ever work well again. It is an opportunity, I guess, for the city of Toronto to have a governance structure that they want—not one that was imposed by this Legislature where they had 56, and later

57, members and a mayor; not one that was imposed by this Legislature where they were taken to 44 members and were told they had to conform with federal boundaries, even though oftentimes that did not make a lot of municipal sense. It just galls me to think that the structure that was set up negated the power of the community councils and local neighbourhoods to actually have an influence on what was happening. This will allow them, I suppose, that opportunity.

However, it really, really won't happen if the province of Ontario lives up to one particular section in this bill. That particular section says that the city can institute any governance structure it wants, but if the province disagrees, then the province can unilaterally go in and impose its own structure upon them. Therefore, if the city of Toronto wants to have a governance structure that de-

centralizes, the province of Ontario will come in and centralize them some more. The province is quite clear where they want to go. The province wants a strong mayor system, they want a board of trade and they want all that goes with that. I think the people of Toronto want to go the other way.

I can see, Mr. Speaker, that you're standing up. The rest of my comments will take place on the next occasion.

The Deputy Speaker: It being 6 of the clock, this House stands adjourned and will resume at 6:45 of the clock.

The House adjourned at 1802.

Evening meeting reported in volume B.

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Mossop, Jennifer F. (L)	Stoney Creek	Parliamentary assistant to the Minister of Culture and the minister responsible for francophone affairs / adjointe parlementaire à la ministre de la Culture et ministre déléguée aux Affaires francophones
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O'Toole, John (PC)	Durham	
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Phillips, Hon. / L'hon. Gerry (L)	Scarborough–Agincourt	Minister of Government Services / ministre des Services gouvernementaux
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Ramal, Khalil (L)	London–Fanshawe	
Ramsay, Hon. / L'hon. David (L)	Timiskaming–Cochrane	Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
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of Ontario**
Second Session, 38th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 13 February 2006

Lundi 13 février 2006

Speaker
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 13 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 13 février 2006

The House met at 1845.

ORDERS OF THE DAY

ACCESS TO JUSTICE ACT, 2006

LOI DE 2006 SUR L'ACCÈS À LA JUSTICE

Mr. Bryant moved second reading of the following bill:

Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2006 / Projet de loi 14, Loi visant à promouvoir l'accès à la justice en modifiant ou abrogeant diverses lois et en édictant la Loi de 2006 sur la législation.

The Acting Speaker (Mr. Michael Prue): Minister?

Hon. Michael Bryant (Attorney General): I will be sharing my time with the member from Willowdale and parliamentary assistant to your humble attorney. I proceed with second reading of the proposed Access to Justice Act, 2006. We're in second reading debate, and I would submit to members of this House that the principles at stake in this bill have been supported by all three parties at various times in the history of our service here or otherwise. Certainly, a number of members of this House have indicated to a number of people and stakeholders support in principle, which isn't to say that there isn't much to debate here.

There are in this bill a number of items that have been before us as MPPs for some years now. I'll begin with the first issue, and that would be paralegal regulation, which has been kicking around as an issue for probably as long as you've been in the House, I say to the justice critic for the third party.

Mr. Peter Kormos (Niagara Centre): Since before you were born.

Hon. Mr. Bryant: Fair enough. Well, give or take.

The issue of paralegal regulation arises in this sense: There is no regulation of paralegals. Zip. None. A former treasurer of the law society, Frank Marrocco—in the absence of his leadership, I don't think this bill would be here right now—has lamented often that to sell a hot dog on the streets of Toronto, you need to get a licence. If on the other hand you want to hold out services to people, to represent them and give them legal advice in circumstances where they could be quite vulnerable, they need

no such licence, no such training, no qualifications, nothing. It is a totally and utterly unregulated profession.

From time to time, I think people in this House have had constituents come in to tell them a story about the effects of an unregulated paralegal profession. Furthermore, we have seen a number of published reports, which I don't think need to be recounted here again, about what happens in an unregulated profession with important responsibilities.

Of course, on a very positive note, regulation of the paralegal profession provides for an alternative to people for getting legal advice and legal services that will open up and increase access to justice in a way that is in the public interest. Paralegals represent clients before boards and tribunals, in small claims court, in court on provincial offences and elsewhere where permitted by law, but paralegals have never been regulated in the province of Ontario.

The issue for many, many years has not been about whether to regulate paralegals, although I suppose one could debate that as to the value of regulation. But I would argue that the debate over whether to regulate has been received with a general response, and that is that yes, we should regulate this profession. It will increase access to justice and it will protect consumers. The question has always been how. Is it government regulation? Is it self-regulation? Is that possible, or is there another possible regulator? After many, many years of debate over this—and I mean many, many years—the Law Society of Upper Canada, the regulator of lawyers, in a moment of high public interest, in my view, and responsibility, said, "All right, we will expand the mandate of the law society's regulator to regulate not only lawyers but also paralegals."

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The ability of this totally unregulated profession to magically be able to regulate itself has been a concept that's been around for more than 15 years but it has never happened. It's not surprising that it has never happened. I call it a profession because I respect the profession, but that assumes there are qualifications and education and that there's some level of discipline, that there's some possibility of reporting, but of course there's none of that. Increasingly, we are seeing people turn to people who hold themselves out as paralegals.

What is the support among paralegals for this bill? Well, it's difficult to generalize. It's not as if there is already a regulated, self-regulated, profession or that there is an organization that is able to speak on behalf of all

paralegals. No one suggests that that exists. Not surprisingly, some paralegals don't want regulation, but that's perhaps because they don't want the rules, the oversight and the accountability that comes with it, because they may feel that it's unnecessary. I would submit otherwise. But there are many paralegals themselves who see and accept that the future of the profession—and certainly the profession is going to grow—lies in having it regulated in some fashion.

Stephen Parker, president of what was the Professional Paralegal Association of Ontario, said that the "regulation of all paralegals will benefit paralegal operations and ensure that the public can more easily access justice services."

I have said before that currently paralegals do not have any training, formal, informal or otherwise, necessarily. They don't have to carry liability insurance, which creates a potential major injustice for consumers who seek their services, and there's no public body to investigate complaints made against them.

Under the proposed legislation, we would ensure paralegals' training, professionalism and competence by requiring them to complete an approved college program, including field placement, and pass a licensing examination. They would also be required to adhere to a code of conduct, carry insurance and contribute to a compensation fund. A process for receiving and investigating consumer complaints would be developed to mirror the system already in place for lawyers. Paralegals found to have engaged in misconduct would be subject to the same types of penalties lawyers face, including the loss of their licence, possibly.

The Law Society of Upper Canada is the expert, obviously, in regulating lawyers. They have a monopoly over it. That's the purpose of a self-regulating profession, extensive experience in the ability to regulate professionals providing legal services, and it was not after significant debate that the law society agreed to enter into discussions with the Ministry of the Attorney General to undertake this task. It is not something that in fact the law society wanted to do in the past. They wanted to keep to their own mandate, and expanding it to regulating paralegals is not going to come without additional responsibilities, but they agreed to do it. A number of benchers showed very significant leadership. I don't want to name one or two for fear of leaving out some.

I will say that for those who want to know how fair this new system will be—will this just be lawyers regulating paralegals? The answer is no. Paralegals would have a prominent role in the governance of the law society and in particular over the regulation of paralegals—a paralegal standing committee, the majority of which will not be lawyers. So a non-lawyer majority will sit on the standing committee that will be chaired by a paralegal. That committee will take the lead in implementing paralegal regulation for the law society. That, in addition, will be matched with a requirement for grandparenting existing paralegals that will be set out under law society bylaws.

There has been extensive consultation with the law society, the Ontario Bar Association, the County and District Law Presidents' Association, the Advocates' Society and a number of paralegal organizations. This is the result that has come forth after years of debate on the subject and a significant amount of negotiation. I'll say on that subject, in closing, that the regulation of paralegals will protect people who get legal advice from non-lawyers and increase access to justice by giving consumers a choice in the qualified legal services that they use.

This bill is also intended to increase access to justice on a number of fronts. Another aspect involves the modernization of the justice of the peace system. The proposed Access to Justice Act, if passed, would ensure a more transparent and open appointment process for justices of the peace and allow for greater flexibility in dealing with the workload of the Ontario Court of Justice. Right now, there are, by statute, no minimum qualifications for someone to be a justice of the peace. The discipline body has the extreme opportunity to remove someone by way of public inquiry, but otherwise, discipline, investigation and complaint is quite limited and not similar to the same kind of regulation and oversight that you have of the judiciary for all the other levels of court.

Similarly, unlike the Court of Appeal for Ontario, the Superior Court of Ontario and the provincial court of Ontario, we have in the JP bench no capacity for, in essence, supernumerary justices of peace, JPs who are retired or in the last stages of their active JP career who wish to participate and provide their services where needed. It's an important element of flexibility for the chief justices of each of the three courts in Ontario—as I say, Court of Appeal, Superior Court and provincial court—but we don't have the ability to appoint per diem JPs in the province of Ontario right now. That will add flexibility, so that if there's a jurisdiction that, because of case flow reasons, needs a number of JPs brought in there immediately, but it may be that, within a year or two years, in fact they don't need that number of JPs, we will have a flexible system, which we have in all other levels of court, that will allow us to manage that. Certainly, it's not a panacea to ensuring all traffic court and other Provincial Offences Act issues are addressed in a timely fashion, but it would give the judiciary and the chief justice a tool to permit for greater access to justice and more timely justice for that very important bench.

Justices of the peace, obviously, have a very, very different job than they had half a century ago, maybe even 25 years ago. They are adjudicating upon some very serious issues, in some cases involving an individual's liberty, if it involves bail; in some cases involving legal issues, whether it be charter issues or otherwise. At the same time, the character of the JP bench has been one where you get a mix. It is primarily a lay bench—in other words, most of the appointments are not lawyers; it's not that they are disqualified—the purpose of it being, I guess, dating back to the Commonwealth system that we inherited, a system of magistrates, where you would get more of a regional and local approach to issues involving

regional and local issues for the community, yet you would want to have that independence there. JPs also used to perform a number of ceremonial functions, such as marrying people, and increasingly their workload is such that they're not able to do that. So we are seeking with this bill to try to modernize the bench and ensure that people have confidence in an important part of our justice system that the people deserve to have confidence in.

The Criminal Lawyers' Association of Ontario is one of a number of groups that support this proposed reform. The president of the association, Louise Botham, has said, "People need to have confidence in their justice system. The proposed reforms to the Justices of the Peace Act would ensure that the quality of justice of the peace appointments is high, given the increasingly important role they play in the justice system."

This bill would amend the JP act to establish minimum qualifications for justices of the peace.

Under the new law, a new justices of the peace appointment advisory committee would be established, making the appointments process more open and transparent, incorporating community and regional input.

The powers of the Justices of the Peace Review Council would be expanded to allow it to deal more comprehensively with complaints against justices of the peace. The Justices of the Peace Review Council would be empowered to conduct investigations and hold hearings into the conduct of justices of the peace. For example, they could establish a hearing panel that would impose a range of penalties, from a warning to suspension without pay. The hearing panel could also recommend, to the attorney of the day, removal of a JP. This will improve the JP complaints and discipline process, making it more effective.

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If this bill is passed, retired justices of the peace could also serve on a per diem basis. I spoke to that already. It would permit for flexibility for the Chief Justice to ensure that in Provincial Offences Act courts there would be some flexibility to put in additional JPs for however long was needed to deal with a case-flow issue in a particular region. As we have urban and suburban centres in the province of Ontario with significant changes in growth over the years—significant changes, and in some cases rapid growth in a small period of time—we need to be able to deal with case flow by sending in those per diem JPs, and when I say "we," I should say that the Chief Justice is the person who would place a particular JP or per diem justices of the peace in a particular region. But once you had a case flow and that population growth stabilized, then you wouldn't have a dozen more JPs than you needed.

To some degree, the inspiration for the appointment process comes from a system set up for the appointment of provincial court judges which was established by Ian Scott, the idea being that there would be a body to field, consider, vet and interview applicants, then provide a set of recommendations, and that would mean that the appointments that were made had gone through a process

where, in my view, you are going to get the highest-quality appointments, but maybe just as importantly, the people will see that there is an independent process in place. It has certainly served the Ontario Court of Justice very well. It has become one of the finest courts of its level in the Commonwealth. It is without a doubt the best provincial court in the country, in no small part as a result of leadership of Chief Justices past, attorneys past and the appointments process itself.

The Provincial Offences Act will also see changes, again the point being to increase access to justice, and in some cases make some changes that have a common-sense appeal in that we are trying to update the rules to reflect the reality of what police officers, JPs and people who appear before these courts and the people who are being charged with or accused of offences under these courts are dealing with. I think most people would want to see, on an ongoing basis, an update to prosecuting Highway Traffic Act offences and parking infractions. This would see proposing amendments to the Provincial Offences Act as well. The Provincial Offences Act is a code that establishes procedures and processes to enforce and prosecute offences created by provincial statute and municipal bylaws.

One proposed amendment to this act would allow regulations to be made that would permit witnesses to be heard by electronic means, such as by videoconferencing. Videoconferencing takes place in a number of parts in our justice system but, similar to the changes to the JP bench, videoconferencing is not available to Provincial Offences Act charges and proceedings, and in that way, proceedings where the due process requirements are higher, either because there's the potential of a very significant fine or the potential of somebody being incarcerated, in those circumstances videoconferences are present, yet they aren't for this level of court. So to some extent this is about modernizing the system and dealing with a situation where a court that has developed and evolved in terms of numbers and charges and offences into a very, very significant court is working with some old rules. We want to try to update those old rules through this bill.

This change that I just mentioned, videoconferencing, for example, could allow police officers to provide evidence in traffic court and other matters without being physically present in the court. It's an important step, in my view, in modernizing the procedures for prosecuting provincial offences through the use of available technology. I think all of us have probably had a conversation with a chief of police, a staff sergeant, a police officer or a leader or a member of a police association who have said there's something about how that works, where the police officer is sitting in traffic court all day, sometimes never being called, that just doesn't seem to make sense. This would provide for a statutory tool, however it may be used, that would enable some flexibility and permit to us to modernize the court and the way we got evidence before that court.

Given that traffic court and Provincial Offences Act court very often include very routine matters—we're not talking about month- or months-long trials; we're not talking about expert witnesses being called on both sides; we're not talking about multiple witnesses; in some cases it's just a matter of establishing that the said offence took place on that date, and the police officer is there to verify the evidence. If there is a way to provide for that kind of verification, that kind of proof to get before the court in a way that does satisfy due process requirements, but also keeps in mind the liberty interests of the accused, the potential penalty that's involved, and recognize that, for a lot of these matters, perhaps there will be the need to have someone come and testify—sure, there may be. But for so many of these matters that are just routine, it doesn't make sense to anybody that matters get thrown out because on that particular day there was a scheduling problem with someone, and it was a matter of saying, "So-and-so was in such-and-such place on such-and-such date and, yeah, I'm the officer who signed that." So this would provide for a tool that would permit those routine cases to be provided for in a way that does take advantage of existing technology, again in circumstances where we're often applying that technology for videoconferencing at other levels, but not for this court.

There are also amendments to the Limitations Act, 2002. Here's another issue that had been around for a long time. I know that Ian Scott had a draft of the limitations bill that ended up being passed. David Young introduced the changes to the Limitations Act in 2002, and a number of attorneys past had introduced the bill. It was to bring together and put into statute the many, many limitations periods that are out there in, I think, more than 100 statutes and certainly court cases. The idea was to provide some more certainty for everybody—for the courts, most importantly, for the people who would be appearing before the courts—and it meant that there wasn't this guessing game as to the limitations period, as sometimes was the case.

All parties supported the Limitations Act amendments in 2002. It passed unanimously, as I said. I voted for it. I supported it. Then, after it passed and before it was proclaimed, there were a number of calls to not proclaim it. I was told, "Don't proclaim it." It was a bill that I inherited, so to speak. There was no power to do so. There were a couple of changes—quite important changes—that they felt should have been made, and the Legislature wasn't given the opportunity to make those changes.

Now we do have the opportunity to make those changes. The proposed amendments would give parties the flexibility that they had before the Limitations Act, 2002, came into force, allowing them to agree to limitation periods that are either longer or shorter than those set out by current statute. Again, that's parties who, rather than go full steam ahead on litigation, agree to suspend this. It also allows potential individual litigants to agree to extend limitation periods to promote out-of-court settlements. Lastly, it clarifies the rule regarding the suspension of limitation periods where a third party is

engaged to help resolve a claim. This is responding to concerns raised by people who work in this area, consumer groups and a number of businesses that saw that, but for these changes, they would be forced into litigation, often with a client or a customer or a partner that they didn't want to be litigating with, but if they didn't drop the writ within that two-year period then they would find themselves without a claim. So this provides for some flexibility.

It has resulted from consultations with the legal community, the ombudsmen for banking services and investments, the Toronto Board of Trade and small investors in developing these amendments.

Courts of Justice Act amendments: I should say that Mr. Tascona, the justice critic for a period for the official opposition, worked very hard at trying to move forward on getting amendments to the Limitations Act, for which he deserves credit. I'm not sure if everything is in the bill that he would like—we'll certainly hear from the official opposition on that—but it is an issue that he was alive to before the bill came before the House, and he deserves credit for that.

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Courts of Justice Act amendments are also in place. In a nutshell, these try and entrench by statute agreements in principle that I have with the Chief Justice of the Ontario Court of Justice, that Attorney General Sterling and Attorney General Young had as well. It's memorandums of understanding that were entered into, and the goal here is to entrench them in statute so that it doesn't have to come up for negotiation. It's there to provide greater transparency and accountability for the public. The publication of standards of conduct for deputy judges would ensue, as well as for case management masters, and it would require a report on the progress of meeting goals through an annual report to be published by the courts.

For a number of years in Ontario, we have had in place by statute the ability of courts to order so-called periodic payments for matters involving medical malpractice. Instead of a lump sum for a significant amount, the court would order periodic payments for a particular plaintiff. It ended up being not the norm, which I would argue was the purpose of the bill. Rather, the provision that was brought in in the 1980s was to in fact make periodic payments the norm for these large awards for medical malpractice cases. It made no difference in terms of the dollars and cents coming in to the person who had brought the claim, to the plaintiff—no difference at all. They were going to get that award, and it would be the same award, whether it be lump sum or otherwise.

It ended up having significant taxation differences, obviously. If you had a very big lump sum award, you'd be taxed on that very big lump sum award and that would end up factoring into the overall damage award. So you ended up having circumstances where the damages didn't really reflect what the court would otherwise have ordered. Why? Because you had to account for that additional income tax dollar coming back to the taxpayer. All in all, it led to circumstances where premiums On-

tario doctors paid for medical malpractice increased and increased to account for that. Of course, the taxpayers subsidize malpractice insurance for doctors. The goal is to try and address that issue while, in no way, shape or form, compromising the interests of injured plaintiffs.

This proposed amendment would increase the use of tax-free periodic payments to compensate successful plaintiffs in medical malpractice cases where future care costs exceed a quarter of a million dollars. The goal here is to strike a balance between the right of a plaintiff to compensation and the right of a defendant to pay only for the losses actually suffered.

Lastly, there's the creation of the Legislation Act. The proposed Access to Justice Act would bring Ontario rules for how laws are published and interpreted into the electronic age. Right now, to file a statute that's already up on e-laws, that's already established—and this is awful—you have to print it up and file the paper. It doesn't make any sense. There has to be a way in which you can file e-Laws in a fashion that the courts recognize as an official document. Obviously there have to be issues around accuracy. That isn't the issue here. The issue is about clarifying the official nature of electronic statutes, e-Laws. So the e-laws website would become an official source of Ontario law.

The Legislation Act would replace or re-enact several existing statutes and, among other things, would give the chief legislative counsel the authority to make very minor, non-substantive changes to the consolidated versions of statutes and regulations, such as fixing typographical, grammatical or numbering errors and updating the names of courts in all the statutes when official court names have changed. This is the kind of thing that used to be done by legislative counsel every 10 years, when the statutes were consolidated. Ongoing consolidation is much more useful to the public, but it requires an ongoing change to power. The act provides that no such changes alter the legal effect of the text that is being changed. In other words, the new Legislation Act, if passed, would make all legislation easier to understand for the public, the courts and legislators and make all legislation easier to use. It would reduce legal uncertainty and facilitate all government business. The goal, again, is to increase accessibility and transparency, as well as cost savings for the public and the government.

I'm sharing my time with the member for Willowdale. I look forward to hearing from all members of this House on this legislation. I would submit to you that the principles in this bill are commendable to your constituents and commendable to you as legislators, that we are moving forward in some areas and on some issues that have been around and with us for many, many years. This affords an opportunity to provide resolution that will protect consumers and increase access to justice.

Mr. David Zimmer (Willowdale): I'm pleased to take part in second reading debate of Bill 14, the Access to Justice Act. The people of Ontario deserve a justice system that is fair, efficient and accessible. This bill would help modernize and improve upon what is already

considered one of the best justice systems in Canada. Access would be improved, there would be enhanced openness and accountability, and public confidence in the justice system would be bolstered.

Several significant areas of the law are covered in the bill, as we've heard from the Attorney General. Let me highlight the components of the bill again, for members of the assembly. If this bill is passed, we would regulate paralegals, thus allowing consumers a choice in qualified legal services while protecting people who get legal advice from non-lawyers. We would reform the justice system to ensure a more open and transparent appointment process, and establish minimum qualifications. We would amend the Courts of Justice Act to make the justice system more open and transparent, and provide greater accountability to the public for the administration of the courts. We would amend the Limitations Act, 2002, to promote a healthy business environment by allowing businesses the flexibility to set their own limitation periods. We would create a new act, the Legislation Act, which would be a single source for rules on laws here in Ontario.

Let me speak for a moment about the justices of the peace reform. No one can dispute the important role of justices of the peace in serving the people of Ontario. For many people, they are the first and the only point of contact for court users within the justice system. The proposed reforms in the Access to Justice Act would, if passed, ensure a more open and transparent appointment process for justices of the peace. For the first time, legislation would require justices of the peace candidates to meet minimum qualifications: a university degree, a comparable community college diploma, an equivalency, and at least 10 years paid or volunteer experience.

The justices of the peace complaints and discipline process would also be improved, making it more effective. The powers of the Justices of the Peace Review Council would be expanded to allow it to deal more comprehensively with complaints against justices of the peace. It would be empowered to conduct investigations and hold hearings into the conduct of a justice of the peace. For example, it may establish a hearing panel that could impose a range of penalties from a warning to suspension without pay. The hearing panel could also recommend removal of a justice of the peace to the Attorney General.

If this bill is passed, retired justices of the peace could serve on a per diem basis, helping out with court backlogs and other special projects within the court system. Per diem justices of the peace could be dedicated by the judiciary to particular matters, including various Provincial Offences Act courts.

As we've heard from the Attorney General, all new justices of the peace would be presiding full-time if this bill is passed. Presiding justices of the peace can perform a broader range of functions than non-presiding justices of peace, including presiding over trials in Provincial Offences Act proceedings.

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Let me say a word now about the Provincial Offences Act itself. The Access to Justice Act would also amend the Provincial Offences Act, and we will be consulting with the Association of Municipalities of Ontario, the judiciary and the police on these amendments. The Provincial Offences Act is a code that establishes procedures and processes to enforce and prosecute offences created by provincial statute and municipal bylaws.

One of the Provincial Offences Act amendments could be to permit witnesses to be heard by electronic means. For example, they could be heard and cross-examined by videoconferencing. Police officers would not necessarily be required to attend in person in court for provincial offences proceedings, including, for instance, traffic ticket charges.

The aim of the bill, if passed, would be to reduce the time and cost for police in attending at trial, and to alleviate the growing caseload pressure on the Provincial Offences Act courts. The amendments would also permit alternatives for resolving municipal bylaw disputes, like parking, without the parties having to go to the bother of a provincial offences court.

These proposed amendments are just one part of our government's action plan to improve the administration of justice. We fully intend to keep working with the municipalities, the police and the judiciary on these matters to ensure that the Provincial Offences Act works as smoothly and as efficiently as possible.

Let me say a few words about paralegal regulation. Currently in Ontario, paralegal services are not regulated. This puts consumers who use paralegal services at risk. This needs to be rectified now. Experts in the field have been calling for regulation of paralegal services for years.

We are committed to creating a modern regulatory system and educational programs to train paralegals. This system exemplifies the kind of innovation and leadership that makes our justice system here in Ontario truly great. By regulating paralegals, we would increase access to justice by giving consumers a choice in qualified legal services, and at the same time protecting people who make that choice to get legal advice from non-lawyers.

The Law Society of Upper Canada, which has experience in regulating professionals who provide legal services, would regulate in this area; however, paralegals themselves would have a permanent and continuing role. A paralegal standing committee, composed of a non-lawyer majority, would be key in directing the affairs of paralegals within the law society. We have consulted widely. Both the profession and the law society support the regulation of paralegals.

Let me say a few words about the Limitations Act amendments. This bill also includes amendments to the Limitations Act that would, if passed, promote a healthier business environment in Ontario. It would meet the needs of both citizens and businesses in Ontario who may be involved in a civil court proceeding. The amendments would give the businesses the flexibility they had before the current act came into force, allowing them to enter

into agreements with limitation periods that are either longer or shorter than the limits provided by the current statute. In addition, individuals would be able to extend limitation periods to promote settlement of disputes out of court. The amendments would ensure that Ontario retains its place as an international legal and commercial leader in business law. As well, they respond to concerns from small investors and seniors by removing an obstacle to the efficient resolution of legal disputes.

Let me say a few words about the Courts of Justice Act amendments. Our government is committed to enhancing the transparency and public accountability for the administration of Ontario's courts. The roles and responsibilities of the Attorney General, judiciary and court services would be clarified. The amendments would also require the annual publication of information on the operations of the courts and the publication of standards of conduct for deputy judges and case management masters.

Let me say a couple of words about the creation of the Legislation Act. This bill creates a new single source for rules about laws here in Ontario called the Legislation Act. If passed, the new act would increase access to justice and modernize Ontario's law-making system by bringing the way laws are published and interpreted into the electronic age. Several provisions about the publication, citation and interpretation of Ontario laws would be amalgamated into the act. If passed, this legislation will modernize and improve the underlying legal framework for Ontario law. It would also address outdated and obsolete laws by removing them from the statute books in the process of setting up the e-Laws base.

The proposed Legislation Act would replace or enact several existing statutes. The e-Laws website would then become an official source for all of Ontario law. Currently, only statutes printed on paper by the Queen's Printer are legally recognized as accurate, even though the e-Laws version of the statute is widely and practically used and often provides a more timely and more accurate record of the actual amendments. The new act would make this e-Laws website officially usable to show what the Ontario law is, and further, the website will be kept up to date within three days of any change of the law. This will all be done electronically and on computer.

The new Legislation Act, if passed, would make all legislation easier to understand and use. It will reduce legal uncertainty and facilitate government and commercial business.

The proposed Access to Justice Act is a tremendously important piece of legislation that will greatly enhance the openness and transparency of the Ontario justice system. If passed, it will benefit all—lawyers, business persons, citizens—anyone using our justice system.

I'm proud to speak in favour of this bill. I urge my colleagues in this assembly to support the bill.

The Acting Speaker: Questions and comments?

Mr. Cameron Jackson (Burlington): I've been waiting for almost three years for some substantive justice reform from the Dalton McGuinty government. Of course,

we got pit bull legislation, which was their signature, landmark, marquee effort on behalf of victims in this province.

So for the second major piece of legislation to come from this Attorney General, we had hoped that it would be more victim-focused and would understand that this isn't about restructuring the justice system so that this government could save money, which is essentially what this bill purports to do. It forms part of an overall strategy, which was uncovered by the recent media reports of documents that were determined to be legitimate cabinet presentations, to turn this into an offender-friendly justice system. These are concerns.

We have an Attorney General who, while in opposition, was one of the greatest supporters of and a fan of the victims' services office in this province. He said its independence was to be prized and it was to be upheld; it was to be promoted. Yet, once he became the minister, he gutted it and reduced it to an ineffectual, small operation that gave no real voice to victims.

There is a lot in this legislation that the public of Ontario needs to see in the light of day. There are issues underlying this legislation which are of great concern to me. The whole notion that paralegals would be removed from our justice system for all intents and purposes is a concern on matters involving custody and marriage breakdown situations where women do not have access to justice, and yet they will surrender them to a justice system which is really not consumer-friendly.

Ms. Andrea Horwath (Hamilton East): I'm pleased to make a few comments on the speech by the Attorney General and the member for Willowdale. I have to say that I'm looking forward to a little later on this evening, when—I believe, anyway; I'm hopeful—we'll be able to hear from Peter Kormos, the member for Niagara Centre, who is our critic in this area. But I know, just from some of the work he's done in keeping our caucus up to date on this particular bill, that the bill is an interesting one. Not only does it bring forward some of the issues that the Attorney General began his remarks on this evening—I think particularly about his remarks around paralegals—but then, as people will recall, having heard the discussion, he went on to talk about other pieces of legislation or other areas that are being affected, areas like provincial offences, court administration, limitation periods—all kinds of other pieces of legislation.

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The point is this: In fact, this is an omnibus bill. Unfortunately, what we often end up with in omnibus bills is a lot of gobbledygook that we can't support and maybe the odd thing that we can support. Certainly, as we review the pieces of work that the Attorney General has put into this piece of legislation, we continue to have concerns.

The current government, when they were previously in opposition, had many, many criticisms of the former government when they brought in omnibus legislation. I want to give you one quote to outline these issues. It's from one Dalton McGuinty, dated December 6, 1999,

speaking about the previous government's omnibus legislation: "This omnibus, megabill approach to legislation makes for bad legislation.... We will not set a precedent that gives the government the green light to continue to ram omnibus bills down our throats. We want the bill split to allow separate votes on each piece of legislation."

That's the right way of doing things; too bad the government hasn't taken its own message.

Mr. Peter Fonseca (Mississauga East): It gives me great pleasure to speak on this piece of legislation. Often, laypersons have little knowledge of the law. When they get caught in an emergency situation, they often seek legal advice in a hurry. I have found that this has happened in a number of cases that have come forward to my constituency office, my community office, to tell me about their stories. In those stories, they've recounted really gut-wrenching situations, where these men and women have suffered bodily harm, emotional harm, financial loss.

One that comes to mind is a young father who was hit by a vehicle and found unconscious. He was taken to hospital, and he lost a number of days of work. He suffered a great deal. Not knowing much about the legal system, he went in search of some advice in terms of how he should move forward to recover some of those losses. He found himself getting some advice from a paralegal—not licensed—and that person gave this gentleman some advice that wasn't very good. He found himself settling for something that was very little in terms of finance, in terms of some monies, that would not compensate him for much of what he was going to feel in later years. He came into my office. He's suffering a great deal. He's disabled. He's not able to work or to do the type of job that he used to do in the past. This has to be fixed.

So the Attorney General bringing forward the regulation of paralegals, making sure that we do have regulated professionals who are able to provide the type of advice that our citizens need, is paramount.

Mr. Norman W. Sterling (Lanark-Carleton): I believe that this kind of bill shouldn't really engender too much political positioning. I believe that it should really be referred to a committee relatively early in the debate and that the various professions that are involved in it should have a say at that point in time. The major debate should really come on third reading or during the committee. I hope that the government is open to amendment, because it's a large bill, and they certainly can't have it all right, because there will be nuances to it.

I'm very, very much in favour of the paralegal area. When I was the Attorney General, I appointed the first paralegal to be a lay benchers of the Law Society of Upper Canada. I believe that the law society is the only group that can do this at this time. Perhaps in the future, the paralegal profession will become strong enough to enter out onto their own self-governing body, but for the present time I think this is a good solution to the problem.

The one area that I think engenders a little bit of question and examination is the whole area of video evidence, particularly with regard to traffic courts. Presently, I

believe that we have unrealistic speed limits in various parts of our province. At the present time, the only part of the process which makes sense in terms of the person who is charged, in terms of having a negotiating position, is with regard to whether or not the officer will show up in court. Once we take away that particular negotiating position, we're going to find that there probably will be a lot more traffic tickets than there presently are, and it may be driven by a financial desire by municipalities, rather than by a real attempt to have a fair system in terms of charging people who are driving too fast.

The Acting Speaker: Response?

Hon. Mr. Bryant: I want to thank the members for Lanark–Carleton and Hamilton East and Burlington and Mr. Fonseca, the member for Mississauga East, for their comments. I want to also thank the member for Willowdale, not only for his remarks but also for the huge, huge contribution that he made to this bill, working with a number of people to create the opportunity that we have in this bill, although all errors are mine. I appreciate what the member for Lanark–Carleton says, and I know that that issue will be ably left in the hands of our House leaders. Also, importantly, I want to thank the many, many people who were a part of, in some cases, a very significant and long debate, certainly a very significant consultation on this bill. I mentioned the Law Society of Upper Canada. The Ontario Bar Association, the County and District Law Presidents' Association, the Advocates' Society, the Toronto Board of Trade also provided submissions, and a number of people—Roger Anderson as well—provided comments on this, and members of this Legislature—the former attorney, the member from Lanark–Carleton—also played a role in some of this getting to where it is now.

The bill has a lot on the subject of access to justice, in the same way that the bill in 2002 saw changes to contingency fees, limitations periods, as well as addressing public accounting—all three issues in one bill, all three issues having a commonality. Justice bills do sometimes have different elements of the same theme in it. That's the case with this bill. I know the member is not suggesting that the bill is out of order, because it is in order. But I look forward to hearing from all members of this House as we continue to debate these important issues that could have a real and important practical effect on the way in which our justice system operates.

The Acting Speaker: Further debate?

Mr. Robert W. Runciman (Leeds–Grenville): I appreciate the opportunity to participate in the debate on Bill 14. I want to say at the outset that I am not a lawyer. I'm a former Solicitor General. I like to put that on the record. I think people assume that because I am a former Solicitor General and the Attorney General critic perhaps I am a lawyer, but I am not. I'm bringing this debate from a layman's perspective—and I also have to say I'm advised that every time I tell the public or my constituents and others that I am not a lawyer, my popularity seems to increase rather dramatically.

Interjections.

Mr. Runciman: There were a few groans over there, but they're all coming from members of the profession.

The title of the bill, "Access to Justice," I think provides us with a bit of latitude in terms of the discussion and debate surrounding the legislation and the implications with respect to some of the changes being brought forward by the Attorney General. But I don't think other activities the member from Burlington mentioned earlier are beyond discussion during the debate on this legislation. Certainly, I intend to raise them in passing, if not in some detail, during my lead-off contribution.

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At the outset, I want to say that, up until a couple of days or a week ago, I felt that perhaps this legislation was innocuous, that there wasn't a lot of concern about it. But all of a sudden, talking to the third party critic as well, we're starting to get a lot of input now from a variety of groups, organizations and individuals who have specific concerns about the legislation.

Some of it seems to be focused on the paralegal aspects of this omnibus bill. I think, when the minister tabled this legislation, both the third party and myself indicated our disappointment that he had reached a decision to incorporate the regulation of paralegals in an omnibus bill rather than stand-alone legislation, because clearly there may have been some concerns and some amendments that would have been forthcoming from the opposition party, if not the government. I felt that the indication was pretty clear to the Attorney General, to the government and to the House leader of the government that we could have moved rather expeditiously with respect to regulation of paralegals and hopefully addressed any concerns that organizations and individuals might have. But the government, for reasons known best to them, have chosen to do otherwise and have somewhat complicated the issue by the decision to incorporate that particular initiative within an omnibus bill.

Just in the last few days, I've been approached with respect to concerns about the changes to the Limitations Act—and we'll get those clarified in the next couple of days—by the real estate industry: Again, with respect to paralegals, there are some paralegals as well who have specific concerns, primarily about the make-up of the governing body and the representation that they will or will not have.

I also received a letter today from an organization of various groups that are expressing concern: First Canadian Title, the Ontario Real Estate Association, Chicago Title Insurance Company, Canada. They're just a few of the companies and organizations that have contacted all of us. I have a copy of a letter sent to the Premier. I found it interesting that one of the signatories to this is a fellow by the name of Steven Offer, whom some of us will remember—those of us who have been around this place for a while—as a former Liberal MPP and, for a very short period of time, Solicitor General. He's signed on to this letter expressing a range of concerns about the legislation and the amendments to the Law Society Act providing regulation for paralegals.

I'll just give you one reference to this at this point: "The powers being provided to the Law Society are so broad as to encompass the business activities of our industries, employees and members, and the responsibilities of our regulatory bodies." I think that pretty well summarizes the concern, although they go into greater detail in the body of the letter. As we go forward, we're going to have more opportunities, certainly during the remaining debate on the bill, but also when the bill actually gets into committee and we can call witnesses who can provide us with a further understanding of the concerns that they have related to this particular aspect of the legislation.

I also had one that just arrived on my desk before I came down here. I'm not going to assign attribution at this point, but they go into a range of concerns, again related to the paralegal issue. One of the issues they raise is—I'll put it on the record for the moment—how will court administration cope with the proliferation of statements of claim, applications, motions, affidavits and appellate documents drawn by non-lawyers? That's just one question they pose, but there's a whole range of areas and issues that this particular organization has. I'll be a little more forthcoming as the days proceed with respect to this debate in terms of this organization, and hopefully at some point they'll be able to publicly express their concerns.

I want to point out a few of the matters of interest to our caucus with respect to this legislation. The legislation creates this new position of chief administrator, whose responsibilities are naturally enough for the administration of justice in Ontario. This individual, whoever it ultimately will be, has dual reporting responsibilities to the Attorney General and the various chief justices of the different courts in Ontario. The act specifically indicates that certain directions given by these justices are binding, which to us seems odd and suggestive of a change regarding overall leadership within the administration of justice. It's not clear what the difference will be between this person and the ADM for court services. I would suggest that we shouldn't be surprised if this results in double or even triple court administration bureaucracy. That exactly, I think we would all hopefully agree, is not needed, but certainly that's one of the concerns we have arising out of our reading of the legislation. We obviously want to pursue this with the Attorney General as to his rationale for such a position, and hopefully receive assurance that we're not going to end up with multiple bureaucracies, and hopefully get an explanation of the binding authority change that he's proposing in the legislation from the current situation.

The bill speaks to defining matters within judicial authority—the Attorney General, the chief justices and the memorandum of understanding. Again, from our perspective, this is suggesting a formalization of roles, and that would lead to an assumption of greater control by the judiciary over court administration. This is going so far as to indicate, in section 78(1), that court services staff are under the justices' authority in designated areas,

except for the authority of a presiding justice while courts are in session. Laws are generally passed or changed for a reason, and it's probably worthwhile to ascertain what lies behind this proposed change.

In addition, there are several portions of the act that they're suggesting where there's some growth in the bureaucracy, both in the ministry and the judiciary, and that's something that should be articulated as unnecessary duplication, wasting money and really doing nothing to improve productivity in the courts. We're going to be asking for an explanation of the memorandum of understanding, the judicial responsibilities. We're also going to be talking about this whole implication—implied, if not embodied—in the act with respect to growth in the bureaucracy.

Section 71 talks about the goals and responsibilities of the administration of the courts in Ontario. Again I guess it's not surprising, given the judicial fingerprints which are all over this bill, that the first of these is, "maintain the independence of the judiciary as a separate branch of government." The goals are all vague, which is not surprising, and they're reinforced by the duty placed on the chief administrator to produce an annual report on the administration of the courts. But instead of being required to report specific results, the report is to be on progress in meeting those goals, not specific results. So we're certainly concerned about that and will be following up on that as we go forward. I'd like to hear a response from the parliamentary assistant with respect to if the numerical order of goals and responsibilities is reflective of his government's priorities for the administration of justice.

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Also, we will at some point in committee be suggesting amendments to 74(9) to require inclusion of the number of crimes committed while on bail, on probation, on conditional release or subject to or eligible for criminal deportation orders. We want that kind of information. We think it's important. We also would like to know the number of remands per case, and we'd like to have the court locations and/or the justice, preferably both. We'd like to have them categorized by the Criminal Code or Provincial Offences Act pre or post the trial date being set; the adjournments, whether it's the crown, the defence, the court.

We think this report by this individual should also include the number of public servants employed, the dollars allocated for court services or duties pursuant to duties under the act for all of the ministry, the justices or the chief administrator himself or herself.

As well, the act is continuing several judicial committees, including the Ontario Courts Management Advisory Committee, in section 79.2. This august body has judges, defence counsel, ministry representatives and six people appointed by the Attorney General—I think this is important—whom the judges and defence counsel approved. We believe this is an opportunity to remove, as we see it, that biased screening and introduce a role for this place, the legislative branch. Let's introduce a role for the legis-

lative branch. I think the mere fact of having open hearings in this Legislature, in the justice committee, would be popular among the non-lawyer crowd, which may be a minority here this evening, and preclude any real ringer getting appointed by the Attorney General. So, hopefully, when we bring this kind of amendment forward, the government is going to be receptive to it. I think it's something they have overlooked, an omission. It could go a long way to improving the public sense about the failures of the justice system.

A couple of recommendations: I'm giving a heads up, I guess, to the parliamentary assistant with respect to some of the amendments we'll be bringing forward during committee. We will be suggesting that the act be amended to have six persons appointed to this Courts Management Advisory Committee, as recommended by the justice committee of the Legislature. I think that's an eminently responsible suggestion which hopefully you will be receptive to. We will have a similar recommendation for the regional committees. Again we put on the record our concern about ballooning bureaucracies.

I'm dealing essentially with the act and provisions of the act. I may move off with respect to some of these issues, but one of the big ones in terms of this omnibus bill is the amendments to the Justices of the Peace Act and the Public Authorities Protection Act. Some of these changes, I think it's fair to say, we agree with. Our concerns would be that in some ways they don't go far enough to address significant concerns, especially among the policing community. I'll get into that in a bit. We're concerned about the sort of composition of what we call a JP bench. My colleague Mr. Sterling, who is a former Attorney General, used a phrase here earlier: pseudo-judges. I think that's really where we're going with respect to JPs in this province.

I'm not laying this all at your doorstep. I think this has been happening over a period of time and perhaps goes back to the days of the NDP government when they did away with per diem JPs and we made all the JPs salaried individuals. I think that was the start down this road to these pseudo-judges and this JP bench. I believe, from the research we have done, that other jurisdictions haven't made JPs into sort of "judges" the same way Ontario has. Other jurisdictions have relied on JPs to perform traditional procedural functions rather than create a whole new court. This bill is another step forward towards a full-time, legally trained level of court that thinks of itself as a court, and sometimes in the worst way: anointed, not appointed.

The act will permit the appointment of full-time JPs, although currently part-time JPs can be continued as part-time JPs, I guess, under the new act, and the minister talked about that. I want to deviate a bit from this. I was a long-time supporter of going back to creating a contingent of part-time JPs and didn't win the argument with our government, the Attorneys General of the day. I can remember the Minister of Natural Resources, Mr. Hodgson, and myself, who represented essentially rural areas, small-town rural constituencies, listening to the police

services with respect to, especially across rural Ontario, their inability to get a JP out for a bail hearing, for example, on a Saturday night at 2 o'clock or 3 o'clock in the morning. My colleague Mr. Dunlop, who was the policing critic for our party, will tell you that this continues to be a very significant concern, the availability of JPs outside the sort of normal working hours. I think this act is only going to exacerbate the situation. I think we should be looking at this contingent, and we should also be directing the chief judge—is it Carruthers who has responsibility in this area at the moment? I'm not sure. I did meet the gentleman a couple of years ago, and I think he's truly committed to improving the situation. But still, if you speak to police officers, that's certainly not being addressed.

It's not that long ago that JPs used to go into the jails in this province. JPs used to go into the jails and do bail hearings. Now we have to look at transportation of prisoners to the courts because these JPs are above this. They can't go into the jails. You know, they're above that sort of thing. This is where they're becoming infected with this sort influenza of being better than the rest of us. I know I'm going to get into trouble here, I suppose, but I'm speaking as a layperson. I look at what's going on in the court system. I look at how these people are reacting and how common sense does not play a role here.

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I believe the JPs should be going into the jail system and performing these bail hearings. We should not be required to transport these folks to a court setting. Look at the costs associated with respect to transportation, the risk involved in terms of transportation, the fact that people coming back into the jail system are quite often bringing in contraband, whether it's drugs or weapons. That's happened. As a former minister of corrections, I know this has occurred. This is one of the significant drawbacks. But this legislation is going to exacerbate the situation because section 15(7) will actually prohibit a justice of the peace from performing duties outside a courthouse. That's unbelievable, but that's the sort of thing. This is where the fingerprints of the judiciary and this pseudo-judicial bureaucracy that's been building over the years in Ontario are sort of feathering their own nests again, to the detriment of the public of Ontario and the justice system of the great province of Ontario.

We're talking about, as well, the creation of a JP Appointments Advisory Committee, with three core members appointed by the Attorney General. He or she gets to appoint two and the Ontario Court Chief Justice gets one. Of course each region, undoubtedly a separate entity with supporting bureaucracy, is then constituted with a senior regional judge or his or her designate and a senior JP, two more AG-appointed reps, a lawyer picked by the Attorney General from a list of three supplied by the law society.

There's no doubt that the act does restrict the unilateral discretion of the Attorney General, but what it's

doing really is adding a few more people, and those are mostly appointed by the Attorney General.

This, in my view and the view of my party, is an opportunity for substantive improvement.

As well, this committee is given predetermined qualifications for justices of the peace, obviously tilted towards university graduates. But they're written in such a way as to, theoretically anyway, include others. More to the point from our perspective, there's no specific recognition of the importance and desirability of either law enforcement or criminal justice procedures, and we will be moving amendments to that effect. The process they've outlined here contains repeated and varied mandatory considerations regarding linguistic duality, diversity and gender but no practical experience with respect to law enforcement or criminal justice. They're apparently unimportant, but linguistic duality, diversity and gender are important enough to reference in this legislation. So we think that is a serious weakness.

They also don't reference the capacity and inclination to say no to frivolous or procedurally abusive adjournment requests. That's not listed as a qualification; maybe it should be.

The act contains a provision where the Attorney General can only recommend appointments which the committee deems qualified or highly qualified. We think there should be something there to notify candidates who are deemed to be otherwise qualified.

We also want to talk about the whole business of section 8(19), which gives sweeping powers to this council to order documents held by anyone, including a complainant—this is in regard to the JP review council—to process and consider complaints. The act is giving sweeping powers to the council to order documents held by anyone, including a complainant, to become confidential, not releasable to the public, and council members are also given complete immunity from ever being called as a witness with respect to anything they do pursuant to their duties. The council, under this legislation, is obliged to file an annual report which anonymously summarizes its hearings, including complaints.

Section 11 of the act creates a process wherein some of the members of this review council—judges, JPs, non-judge JP members but not specifically non-lawyers—can be constituted as a three-person committee to investigate complaints against justices of the peace. That committee will make their own procedures, conduct investigations as they deem appropriate. The complainant is not entitled to a hearing. As we read this legislation, 11(7), a complainant is not entitled to a hearing and the investigation is in camera. We may not have trouble with it being in camera, but we certainly believe a complainant should have the entitlement to a hearing. The committee can dismiss the complaint, write the JP a letter or ask him or her in for a talking-to. That's absent the complainant. Or they can order a formal hearing by the review panel. This is another interesting point: The justice of the peace is eligible for fully funded legal costs—the justice of the peace. The complainant is not. If somehow a hearing

panel is ordered, the chair of the review council, which would be the Chief Justice of the Ontario Court of Justice or a designate, will then constitute a hearing panel. It has to have two judges, which could be a judge and a JP; it can have three judges and a judge to chair it—this is the formulation, as we understand it—but the bill doesn't clearly specify that the complainant has a right to appear and make submissions at the hearing. We certainly want that to be clarified.

The panel can then dismiss the complaint without having to rule that it's unfounded, and should it decide to uphold the complaint, they can warn or reprimand the JP. They can order an apology, they can order education, they can suspend with pay, suspend without pay, but for not more than 30 days. They can recommend to the Attorney General that the JP be removed, but draconian this isn't.

Section 13(3) of the act defines the goals to be met by JP standards. Once again, this is ensuring judicial independence comes ahead of everything else, including competence or public interest. Per diem JPs, not full-time ones, can be assigned specific duties, such as the Provincial Offences Act, but for some reason people can ask to have a trial held by a judge instead of a JP. We'd like to be able to get our heads around that. Again, as I said, 15(7) is actually prohibiting a JP from performing duties outside a courthouse unless so assigned on some kind of a public roster. There's no question that there is a real need for JPs to perform procedurally required actions beyond the 9:30 to 4:30 courthouse hours. So we think this is an extremely unwise provision that's been incorporated in this act. One of the lawyers present—and he may speak to this later—was suggesting that the judge responsible for JPs could, in terms of assigning responsibilities to JPs, probably have a meaningful impact on the responsiveness of JPs to policing requests by assigning them to some very unattractive responsibilities. He has the ability to do that today, but regrettably, that sort of activity is not occurring.

2010

Again, I'll run over the recommendations so they'll be in Hansard for the parliamentary assistant and others to review prior to getting to the committee process. This may change, certainly as a result of committee hearings; there will undoubtedly be more amendments coming forward, but at first blush, these are some of the changes that we would like to see occur:

We'd like to substitute appointments by the justice committee for AG appointments. We want to change the relevant criteria to include law enforcement and criminal procedure familiarity.

We want to permit local presentation by complainants at investigations and hearings.

We want to include legal expense eligibility for complainants where the complaint is upheld or, at the very least, not dismissed.

We want mandated inquests where a person is unlawfully killed by someone while on release by a JP or pro-

vincial court judge, and we want to stipulate that the judge or JP is a compellable witness at that inquest.

We want to amend the Coroners Act to provide VJF—victims' justice fund—funding for legal counsel for crime victims who have been granted standing at such an inquest.

We want to stipulate that justices of the peace can be assigned duties outside of court at any time of day, or create an appointment process for that purpose: as I said, a specific contingent of JPs across the province on a regional basis who could deal with those kinds of situations, I would suggest, on a per diem remuneration basis.

We want to revise the JP complaint procedure and the disposition entirely.

We'd like to see the act amended to permit a review petition whereby a designated number or percentage of electors in a region of the province can require the justice committee to hold fitness hearings pursuant to the act and thereafter apply sanctions. We believe we should ensure that disciplinary hearings are presumed public.

Moving on to paralegals, I don't have a lot to say with respect to this. I indicated at the outset that there seemed to be a growing number of concerns coming to my attention, I'm assuming the government's attention and the third party's critic as well. Over the coming days, I'm sure we will hear more about this, but as of today, there's not a lot of significant concern.

I have mentioned—and I know I got a bit of a reaction to this from a number of people in the legal community and the defence bar. Initially I was talking about the Bernardo case, where the counsel for Mr. Bernardo had taped evidence of horrific crimes, and if that evidence had been provided to the crown, we have to assume that the plea bargain for Ms. Homolka would never have been agreed to and she would not be walking freely on the streets of Montreal today. There was an extensive investigation, with obstruction of justice charges laid against that individual. If you read the judge's comments related to that, it was rather confusing. They seemed to say that ignorance was an excuse here—I guess we heard the same argument from the Premier today with respect to Mr. Takhar—with respect to this counsel. He then went to the law society for some sort of sanction from the law society, and again nothing occurred.

I think a lot of people were very concerned about that, but I don't want to rely solely on that. I've been advised, and I don't have details, of a situation which has gained some notoriety in the province, where a counsel was advised of a dead body being removed to prevent detection. This was a defence counsel who was aware that his client had moved a body to prevent detection.

I have suggested that perhaps, since we're going to be opening up the Law Society Act to deal with the paralegal issue—this may be an opportunity. If the law society itself can't deal in an effective way with this—and they would argue that they can and that in fact they are moving in that direction, but at a snail's pace, I would suggest—perhaps this Legislature should take a look at

strengthening the act itself to ensure that appropriate action is taken in situations such as this. I think it would address widespread public concern.

Most of it focused, I would agree, on the Bernardo case and the fact that Ms. Homolka was allowed to escape, many would suggest, with a relatively minor penalty for participating in horrible, horrible crimes against two young women—three young women, including her sister, which never came to court. Again, this is something that I will be pursuing in committee and perhaps bringing up additional cases. I don't have the full details on the moving of the body, but apparently it has been public and the lawyer involved has been named publicly. But until I receive further details, I won't go into it. I see this as an opportunity, which we should all consider as an opportunity. When the law society and others appear before us at committee to talk about this part of the omnibus bill, we should ask for their feedback. But I'm going to look towards some victims who could appear. I'm told that there is a victim's family in the body-moving case who are quite willing to appear and talk about what happened in that particular situation. And if we had representation from other victims' organizations who could speak to this issue, who may have a slightly different view than the legal profession representatives, that's something I think the public deserves to know about and to hear from those kinds of people who don't get recognition, in my view, that they merit. So that's an area that we will be pursuing as well.

Before I get into some other areas, I want to suggest that because this deals with access to justice, there are so many areas that could be talked about and could be addressed but which are not being dealt with in terms of access. Again, I'm speaking as a layperson and someone who has been involved in justice issues for many, many years as both a critic and the minister. My frustration and my lack of comprehension about what's going on in Canada—not necessarily confined to Ontario—with respect to the justice system I think is a frustration felt by many Canadians.

There was an example in Toronto recently—and I don't believe the case has come to completion—a murder case where a young woman was murdered in an office building up in the Yorkville area. The individual charged with the murder was a janitor in the building. What really upsets me and should upset everyone is that, as I understand it, from the time the charge was laid by police to its coming to trial was three years: a three-year gap between a charge being laid and the individual coming to trial. That should be a significant concern, and at some point I hope to ask the Attorney General to look into that. I'm not sure how frequently that happens, but it happens, I think, too many times.

2020

I relate it to Great Britain. I happen to be aware of the situation because the individual is a former constituent of mine. He's not representative of my constituents; I don't want anyone to infer that. He was charged with smuggling cocaine into Great Britain. He went to trial within

three months and was sentenced very quickly. I think the trial lasted something like two weeks. He was sentenced, and a lengthy sentence. He ultimately came back, with this exchange program we have, to serve his time in Canada. I think that anyone who's sentenced outside of this country wants to come back to Canada because of the leniency shown by our justice system—but that's another issue. It draws a sharp contrast for me between the system in Great Britain and what's happening in this country: the delays, the backlogs, the adjournments, the two- and three-for-one credits that the courts award.

I recall speaking to an individual who was an RCMP inspector; he's now passed away. Upon retirement, he was appointed to be a provincial magistrate and a judge, one of the last lay people to be appointed to the bench. My uncle George Runciman, who was deputy chief of police in Brockville, was also one of the last magistrates and became a provincial judge. I knew the widespread resentment among many lawyers about having someone who wasn't a lawyer actually being a provincial judge. They didn't assign a lot of these folks to permanent positions. They were on relief, if you will. They would go to different communities and provide relief services. I remember him telling me about going into a community. There was this huge backlog. The judge was off sick, and he was asked to go in and sit in that particular community until the sitting judge could come back and take over his duties.

He said the backlog was enormous. He cleaned it up in two or three weeks, because what was happening was that the hours of the court were lax, to say the least, and this sitting judge was allowing adjournment after adjournment after adjournment. The defence bar would come and say, "You know, I didn't take my headache pills this morning." Whatever the rationale was, the judge would grant the adjournment—eight, nine, 10 adjournments.

Mr. Kormos: Oh, we were more creative than that, Bob.

Mr. Runciman: I'm sure you were.

This judge said they appeared before him and he would say, "You've already had three adjournments. On with the case." He cleaned up that backlog in no time at all.

Maybe this is being too simplistic; again, a non-lawyer not looking at all the complexities of these things and looking at it from a purely common sense perspective, from my seat, anyway. There are so many things we could be doing here if we had the intestinal fortitude.

I've often said that maybe we need someone appointed who has a strong belief in what has to happen in the justice system who's not a lawyer, who doesn't have to worry about a future in the brotherhood, who doesn't want to be recognized later on, in some respect, looking for a fine sinecure in one of the more prestigious firms in downtown Toronto. Maybe, if that occurred, we may see some of these things happen.

Many of the problems are national and require significant changes. Some of them may be related to the

charter. I'm not sure. I just know that we have real problems in this province, real problems in this country.

Another issue that isn't addressed here—and I made reference to it with the JPs and their ability to turn down some of the requests that are before them—is the two- and three-for-one credits. There should be some real effort—and I don't believe I've heard the Attorney General speak to this issue—to try and change that situation so it is not occurring on a regular basis. There's a linkage here with adjournments. This is arguable and debatable, but I had a lawyer in my own riding approach me who is so frustrated with the court system, saying that these adjournments—of course they're related. He contends, and I've talked to the legal aid folks, who disagree with this, that a lot this is coming from the legal aid bar. Of course, part of the reason is that if you're getting adjournment after adjournment after adjournment, there are some compensation issues there. But also, if you're getting at least a two-for-one credit in the provincial system, there's a bonus to delaying that case coming to court, because you're going to get two- or three-for-one credits for the time spent sitting in a provincial lock-up. Those are very significant issues, which the Attorney General has not spoken to, has not addressed.

There are some changes in the act to amend the Limitations Act. The Attorney General spoke to that briefly. At this point, I don't have any criticisms, but I have been approached by an organization that may have some concerns about this. They were very supportive of the changes brought in by the former government and Attorney General Young, I think it was mentioned, in 2002. They were quite supportive and felt that had really assisted many people. They feel we may be getting into difficulties by in some ways going backwards here. I'll have more clarification on that as we go forward. In fact, I've indicated to the organization that approached me that if they have specific amendments they would like to see put forward, I'm certainly prepared to take a look at them and, if they make sense and I have support within my own caucus, put forward on their behalf. But at this point, we have no significant issues to put on the record with respect to the Limitations Act.

The Provincial Offences Act amendments: We're probably going to have some more to say about this. I know my friend to the left certainly has extensive comments to make about this. There appear to be two substantive amendments here. The first is going to resort to what I guess is an unspecified alternative mechanism for municipal bylaw infractions, which may include parking tickets. It appears that the alternative mechanism must be established either through the Provincial Offences Act or a different act, as opposed to a new municipal bylaw. If such mechanisms are not present, in our view this amendment is meaningless without any further amendments. Perhaps we need to take a closer look at the Provincial Offences Act, but at first look, we can't find anything in the act, so we're concerned about that.

The second amendment, which I gather caused the most consternation, is the one that is going to permit evi-

dence to be given remotely through video, audio or other electronic means. This might sound like an improvement, though having officers wait to give evidence in the police station instead of the courthouse isn't much of an improvement. The amendments really don't contain anything that deals specifically with a systemic obligation, in scheduling trial times, to directly consider officer availabilities and priorities. That's a long-standing problem; I'm not laying that at the doorstep of the current government. But with this legislation, there is an opportunity to address this. I know there are questions about cross-examination, the Evidence Act and a whole series of other issues in terms of the rights of the accused which have to be addressed as well.

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At this point, we're just making a couple of recommendations here. We think that the Provincial Offences Act and the Courts of Justice Act should be amended, which would oblige the chief administrator, who was referenced earlier in the legislation, to prepare and report annually on the system to ensure the availability of police witnesses—police witnesses available prior to and at the time of the setting of the trial dates. This is going to maximize the productivity of police resources required for evidentiary purposes.

The folks who are going to be setting trial dates have to give consideration to police witness scheduling. We have to have information available, again, so that we can maximize the productivity of police resources. As we all know, this could have a huge impact on police budgets. Court pay—overtime pay—is a pretty dramatic component of police budgets. We all know these problems of a police officers sitting there for two or three hours and then being told that the case has been delayed or adjourned. Some courts, I'm told, work quite well in terms of scheduling, but a great many do not. We don't seem to have that co-operation and coordination, and perhaps we have to in some way mandate it, regulate it and report on it. In the courts that are failing, we can take the steps to ensure that the situation is corrected.

The Legislation Act, another component which was briefly referenced earlier—I don't profess to be an expert in these matters, but there are a couple of items there that I think merit scrutiny: the power given to correct errors in published versions of legislation and the Attorney General's authority over regulation filing. Both of these are procedural, technical and seemingly benign, but how and when such authority can be exercised and how there is public notification of such action—how it can be carefully detailed—we think those are legitimate concerns.

There are some other practical issues that, given the breadth of the act, we have an opportunity to raise, practical issues which I would say could dramatically improve the productivity of the justice system and hopefully ensure the appropriate use of public resources, which all too frequently isn't the case.

We'd like to suggest as well the creation of Ontario court services prisoner escort and court security details, which would be funded by the provincial government.

This is a program that would either operate full-time in larger centres or fund local police services to supply escort and security as required. We know this is a significant problem, especially court security—the cost associated with it and some of the demands that the judges have made related to court security and full-time police officers. This is a burden that is growing on police services across the province and we believe that it is something that could and should be addressed.

I believe it's Justice Carruthers—and I stand to be corrected—who was responsible for the JP program. He and I spoke about three years ago, and he was very strongly supportive of expansion of the video remand capacity. That is happening, but perhaps not to the degree that we would like to see. We should be working with the Ontario Association of Chiefs of Police to determine the best ways to maximize the deployment of video remand equipment and, as I mentioned earlier, the deployment of justices of the peace to avoid these unnecessary prisoner escorts, the dangers associated with that and the costs associated with that. If we move in that direction, I think it would be very well received in the policing community, to say the least.

I want to talk a bit about some of the things—and I'll get back to this; I only have a few minutes—that this government has been considering, and we're not sure exactly how far. The member from Burlington talked about the document that was made public a few weeks ago about some of the plans to cut about \$340 million out of the justice system, which included a whole range of serious changes, including the parole board being transferred to the federal parole system, the sex offender registry being offloaded, the national security counter-terrorism, the closure of a couple of thousand jail beds, including the Don and the Chatham jail. We know they've already closed down the Crime Control Commission. They closed Project Turnaround, which was effectively dealing with serious young offenders. We know they planned more and more pre-charge diversion, especially with young offenders.

We see these crime stats about youth crime falling. We know what's happening in Toronto with gun crime. But the reality, when you talk to police officers out in the front lines—and I was talking to an officer a few weeks ago. They were involved in the pursuit of a stolen car. Ultimately, the individual who stole the car was arrested—15 years of age, and he was known to police. What do you think the sanction was for that 15-year-old who stole a car? He got a warning letter—a warning letter for stealing a car. This is the new Youth Criminal Justice Act and the emphasis on diversion and warning letters. How much of this is going on across the province that we do not know about? We have these statistics that I would suggest are not very accurate in terms of what's happening out in our communities in terms of youth crime. And this is an initiative not only supported by the McGuinty government but promoted by the McGuinty government. Through this renewal program, whatever they called it—justice modernization—this was one of the initiatives

they wanted to expand on: pre-charge diversion, post-charge diversion, closing jail beds and getting people out onto the streets of our communities more quickly. Those are issues that we can continue to talk about at length.

We think there should be an early-case-resolution facilitation fund. It would seem reasonable to us that the financing of that be accepted, at least in part, as an expense borne systemically by the province rather than by individual police services.

I think I've used up my time, Mr. Speaker, but I have appreciated the opportunity to contribute here this evening.

The Acting Speaker: Questions and comments?

Ms. Horwath: It gives me pleasure to have a few minutes to talk about the issue of Bill 14, and also to mention the thorough way that the member from Leeds–Grenville has outlined the issues that he sees from his party's perspective in regard to this bill. Later on this evening we'll be hearing from the member from Niagara Centre, Peter Kormos, who I believe is up next to talk about some of the things we're concerned about in this bill. One of those is the very construct of the bill itself, in that, as I mentioned before, it is in fact an omnibus bill. So where there may be pieces of that omnibus bill that we might want to support, might find supportable, unfortunately, what often happens with omnibus bills is that there are other pieces that are included that are not so easy to support. So I'm not positive where we're going to end up with this one, but my understanding is, there are pieces of it that we unfortunately are not going to like very much at all. As I say, that's unfortunate, because it's not unusual that omnibus bills come before this House.

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I did take an opportunity, in my last opportunity for questions and comments, to quote a member of this Parliament who was elected last time around in opposition. I want to do that again. I want to quote from a member who used to be in opposition who said, "What we look at in a bill of this kind is the fact that it's an omnibus bill. That means it has so many components to it that it should probably be broken down into four or five different bills. As is the case with many omnibus bills, some of the provisions in this bill are supportable; others are not. What the government usually does is put a hostage in the bill so the opposition won't vote for it, and then they can say about the good and popular things in the bill, 'The opposition voted against it.' But you really can't fool people with that." That was said by Jim Bradley, November 18, 2002, now a current government member.

The Acting Speaker: Questions and comments? The member from Perth–Middlesex.

Mr. John Wilkinson (Perth–Middlesex): Thank you, Mr. Speaker. It's good to see you in the chair this evening. Welcome to everybody.

I've had a chance to take a look at Bill 14. It's a bill that only a lawyer could love. Only a lawyer could love this bill. But it's a wonderful job. I want to commend the Attorney General, who is a brilliant lawyer himself, and his great parliamentary assistant, Mr. Zimmer, my seat-

mate to the right, who also is a fine lawyer, for the work they have done on this bill. We need to be able to—

Mr. Kormos: Michael's brilliant, David's only fine?

Mr. Wilkinson: Well, there is the first and there is the second. But there's always hope when you're the second that perhaps one day you will be first.

I want to comment on the fact that just a few weeks ago I had a chance to do a drive-along with Constable Ryan Million of the Stratford police force. It was an interesting day with him, front-line in his police cruiser. What was brought home to me is the fact that he has a tremendous sense as a police officer, and what he needs to do is to be out on the street, to be in his car. He has an amazing sixth sense about the criminal element in my hometown. He had an unerring ability to make a number of stops that day, and showed me some of the techniques he had learned. And I want him to be in that car.

That's why I support Bill 14, because as the member from Leeds–Grenville mentioned and our own members mentioned, the ability for officers to be able to give testimony by the 21st-century means of video and audio-tape—I think this is a wonderful idea, because our officers are tied up so many times, not on the street, not enforcing the laws, but stuck in courts, waiting for their attempt to testify to keep us safe. So I think it's a very important reform that we've put in here. There is—

Interjection.

Mr. Wilkinson: I think he should be able to testify, but I think he needs to be able to do that in a 21st-century fashion so he or she can spend their time on the street keeping us safe.

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to add some comments to the speech from the member from Leeds–Grenville, his hour-long speech. I note that the member from Leeds–Grenville has a keen interest in the administration of justice. He used his full hour and was still not done the entire bill in his critique. I note that he had pointed out that if the regulation of paralegals was separated out of this bill, that part could certainly proceed quite quickly. I note that the member from Hamilton East also pointed out that this is an omnibus bill and that if certain sections were stood on their own, they would pass more quickly. Even the member from Perth–Middlesex noted that this is a bill only a lawyer could love. Certainly, it sets a record for the longest explanatory note—15 pages. It's usually about a page of an explanatory note, so I suspect a lawyer was involved in writing that.

I also note that this government has been inactive in terms of appointing justices of the peace. It's high time they got on the job and started appointing some, because we've seen some real delays in terms of court cancellations happening because of a shortage of the numbers of justices of the peace.

I also note that the member from Leeds–Grenville pointed out that, under this bill, justices of the peace would not be able to go into jails and that this would be a problem because then we end up with unnecessary prisoner escorts. I think that's probably a very valid point.

I'm concerned that there might be increased bureaucracy as a result of this bill. But certainly there are a lot of unanswered questions. I look forward to having the opportunity to discuss it in caucus, and as well I hope that it will be going out to committee so the public, lawyers, paralegals, justices of the peace and other interested parties may make comment on the bill once they have a chance to read it.

Mr. Kormos: I indeed listened carefully throughout all of Mr. Runciman's comments—the member for Leeds–Grenville. I find his contribution to this debate to be an important one. I look forward to him being on committee with me and others.

This bill covers a whole lot of ground and it is not without more than a few flaws. In fact, it raises a whole lot of concerns with respect to a whole lot of areas. Mr. Runciman has highlighted, in the short period allowed to him, but some of them. This bill needs committee hearings. Quite frankly, it needs extensive committee hearings. I suggest that people who are interested in any number of facets of this bill start working on that process promptly. I can say with confidence that his constituents can sleep well knowing that Mr. Runciman is pursuing the law-and-order interests of his folks and Ontarians with vigour and zeal here at Queen's Park. But folks had better be very concerned about some areas where this bill creates more problems and provides more grief than it does solutions.

I'm going to have a chance in around two minutes' time to speak to this bill for the brief one hour allowed me. This is only second reading debate, as Mr. Runciman indicated—if it wasn't Mr. Runciman, it was his colleague Mr. Sterling. The real debate occurs on third reading and during the course of committee work. People had better pay close attention to this bill, because there are problems here that are going to cause some real grief for a whole lot of folks.

The Acting Speaker: The member from Leeds–Grenville.

Mr. Runciman: I thank those who participated with comments. I want to indicate I share Mr. Kormos's view that extensive public hearings are required on this legislation. This is a wide-ranging bill with significant implications and some serious problems, as he pointed out, but I also think some real opportunities that are necessarily addressed in the legislation, and perhaps through amendments and a co-operative and productive atmosphere on the committee we can really address some of the long-standing concerns of the public of Ontario with respect to the justice system.

There were references to policing by one of the members earlier. The things that are out there that we don't appreciate—the search warrants, the time involved, the red tape involved in Ontario versus Quebec; for example, a 75- or 80-page application for a search warrant in Ontario versus a very modest application form in the province of Quebec. Domestic disputes—does anyone know the time a very mild domestic dispute takes an officer off the road, or two officers? Seven or eight hours

on average, on someone complaining about someone yelling at them, for example. Impaired driving—does anyone know the red tape involved? A police officer, especially if there is a death involved, is off the road for two weeks dealing with paperwork and reports being filed, if he's the investigating officer in an impaired driving charge involving death.

When I was the minister, we undertook a red tape review which was I think completed by the former ADM, and it's still sitting on a shelf over there. There are so many things we could do to improve the system of justice in this province. All we have to do is make the effort.

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The Acting Speaker: Further debate?

Mr. Kormos: I wish this bill were just about paralegal regulation, because if it were, we could proceed with it probably in a far more expeditious manner. That's not to say that anybody is going to rush anything through without a whole lot of careful thought. But regrettably, the government, rather than producing a bill that would provide for a framework for the regulation of paralegals—which everybody agrees with. Paralegals agree with the proposition, folks out there in communities across the province agree with the proposition, and it seems to me that every member of this assembly agrees with the proposition that we need regulation of paralegals. Rather than proceed with a bill that dealt with regulation of paralegals—no. Not only do we have a stall, we wait—Mr. Runciman, how long did we wait for this bill? Years, from this government alone. But then when it comes forward, rather than a bill that deals with the issue at hand, it's got a number of schedules dealing with any number of not just bills but areas of the law.

First, I've got to tell you, I want to express gratitude to Sheena Weir from the Law Society of Upper Canada. Ms. Weir is an incredibly effective and knowledgeable and skilled member of the staff at the law society.

Mr. Runciman: Put me on the record agreeing with you.

Mr. Kormos: Bob Runciman concurs. Sheena Weir is an incredibly effective person who worked hard, incredibly hard, with all parties in this Legislature to get this paralegal regulation legislation on the front burner. As she has always been, Ms. Weir was extremely helpful in terms of getting background material for the respective critics and their caucuses, helping us wind our way through the various reports that have been commissioned and produced over the course of the years. So I want not only to thank Sheena Weir; I also want to express my personal gratitude and the gratitude of the NDP caucus and, based on some of the affirmative nods from folks in the two other caucuses here, I suspect the gratitude of everybody in the assembly. I say this to the law society: They are extremely lucky to have Ms. Weir working for them and with them.

It was Mr. Sterling who said that the real debate is going to take place in committee and on third reading, because right now we're dealing with some very preliminary stuff. I also want to say that I was shocked and

disappointed when I sat here listening to the member from Perth-Middlesex describe the Attorney General as brilliant but the parliamentary assistant as nothing more than fine. I find that an extremely objectionable observation and comment by the member for Perth-Middlesex. I know the parliamentary assistant. I've seen his work. To call the Attorney General brilliant but Mr. Zimmer nothing more than fine is, I say, a contempt of this Parliament. I want to stand here and now and make it clear that David Zimmer, the parliamentary assistant, would in his own right make an outstanding Attorney General. I tell you that David Zimmer wouldn't have fed us pap and phony spin like pit bull bans and phony claims about somehow acquiring, by delegation, constitutional authority from the federal government to ban handguns. David Zimmer would know better, does know better, and I say to you that David Zimmer is the match, from anybody's perspective, of this Attorney General.

Mr. Runciman: Easily.

Mr. Kormos: Easily, Mr. Runciman says. Mr. Runciman said "Easily" in response to my comment. I responded. That gets him on the Hansard record.

Look, let's deal with the easy stuff first: the amendments to the Limitations Act. Indeed, I sat down with Mr. Zimmer to make sure that I had a clear understanding of what they did based on the existing section 11 of the Limitations Act. It appears to be not problematic at all. As a matter of fact, I'm astounded that during the course of introductory comments by government members with respect to this bill they would somehow claim to have made meaningful amendments to the Limitations Act. Please. It's not meaningful. There's a little bit of cleanup.

But that begs this question. I remember, as does Mr. Runciman, the passage of the Limitations Act that prevails now in the province of Ontario, passed in 2002. That Limitations Act was the second version of the act that had been presented to the House, and we believed and we were told—I think accurately, honestly, legitimately—that it had been vetted over and over again by any number of bar association types and law society types. But I put to this Attorney General that the time is clearly due for a review of that Limitations Act. That's not to suggest that there's anything inherently flawed with it, but, for instance, in the area of claims by investors—and the parliamentary assistant knows full well what I'm speaking of. There has been a number of newspaper articles talking about the difficulty that investors have had litigating against investment operators who have been less than straightforward in how they've dealt with their money. The limitations periods, as you well know, that were included in the Limitations Act of 2002 have barred them from making claims. So what I'm suggesting to the Attorney General, but even more importantly to the parliamentary assistant, because I think he has a better understanding of these sorts of things, is to bring the Limitations Act forward to the appropriate committee for a review, for public input, with a view to addressing shortcomings and deficiencies that have been

displayed over the passage of time, the last three to four years. That would be long overdue.

Let me talk about schedule E, the amendments to the Provincial Offences Act. Look, I've been blessed here in this Legislative Assembly to witness a succession of Attorneys General who have demonstrated some real skill and acumen, going back to my first years of service here with Ian Scott. It boggles the mind to think that an Attorney General of this province would let his name attach to a bill that would change the evidentiary rules so as to deny an accused person the right of full answer in defence. Please, do you understand? I appreciate and understand and sympathize with and have concern about the adequacy of police officers out on the streets doing crime prevention and crime investigation and investing their time in investigations and in arresting bad guys. But please, to somehow suggest that it's in any way consistent with our due process legal system to face your accuser over a telephone line is repugnant. I know there will be efforts on the part of those people who would choose to defend this particular schedule, schedule E, the amendments to the Provincial Offences Act, saying, "Oh, these are only Highway Traffic Act offences" or other provincial offences.

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Look, the fact is that we operate with a very hallowed premise, and that is the presumption of innocence. You can mock and scoff at the presumption of innocence—until you find yourself on the receiving end, and then all of a sudden, that presumption of innocence becomes very valuable to you. The fact is, even the best-of-intentioned police officers sometimes make mistakes. The other fact is that a Highway Traffic Act conviction for dangerous driving, speeding or, not inappropriately so, school bus offences can result, for instance, in the loss of a licence, as well as huge fines and huge insurance premium increases, and it could well lead to the loss of a job.

So who in this government is of the view that a person accused of an offence should not be able to face their accuser, that they should not be able to have a trier of fact? I say this to the parliamentary assistant, who I am confident is well aware of the role of a trier of fact and the need for a trier of fact to see the witnesses, to hear them, to watch them as they give their evidence, to watch them as they submit to cross-examination, to use all of their senses, their human senses, to determine very fundamental issues like credibility or accuracy. The fact is, you can't do that over a telephone line.

This just doesn't fly. And right here and now I put to this Attorney General that he should immediately sever schedule E. I understand the motive. The motive is to address—I don't know this for a fact, but I assume the parliamentary assistant was reading from a prepared speech, because I am hard-pressed to think that he truly believes this. He talked about how the provisions in schedule E, the amendments to the Provincial Offences Act—I wrote it down; I made a note, did it verbatim, so I would not suffer from even the slightest inaccuracy. Schedule E, undermining the historic rules of evidence, is

"to alleviate the growing caseload pressure on the Provincial Offences Act courts." This has nothing to do with access to justice; it has nothing to do with justice at all. It's an efficiency measure designed to reduce the caseload.

You see, this government has a serious problem—it's not a new problem—and that is huge court backlogs in criminal courts, in family courts, in provincial offences courts, in courts presided over by justices of the peace. What does the Ministry of Finance do? It flatlines and/or reduces the budget of the Attorney General. In fact, the justice budgets were amongst those that were heralded in the 2005 budget as being part of the overall cost reduction scheme of the government—remember that?—ministries whose budgets were either flatlined or reduced. There is a crisis in our justice system, in our court system, in terms of the lack of resources and the huge backlogs. Does this government speak to and address those crises? No. It says, "We'll accelerate things, we'll get things done, we'll grease this up and slide 'er right through" by changing the rules of evidence so that the prosecutor and the crown's witnesses can give their evidence over the telephone.

Please, Mr. Zimmer, the people of Ontario need you on their side on this one. Justice needs you on its side on this one. Sever schedule E. Acknowledge that it is just wrong-headed. A trial, with a determination at the end of guilt or innocence, guilt or non-guilt, with its consequences, is far different from a videoconference bail hearing, far different. Furthermore, I suspect—I don't know for a fact. Look, I'm from down in Niagara, small-town Ontario. But I suspect that there are going to be some smart lawyers, good smart lawyers, capable smart lawyers, men and women who are committed to the service of justice, who are going to take this schedule E through challenges, like the right to full answer in defence, and chew it up and spit it out for breakfast. I call upon the Attorney General to simply sever schedule E. It's bad policy and it's certainly not good law. It may well even be—think about it—against the law.

And let's not talk just about Highway Traffic Act offences. What about Occupational Health and Safety Act offences where people have died and where charges have been laid under the Occupational Health and Safety Act to determine the quasi-criminal liability of a company or its supervisors? It's pretty serious stuff, isn't it? You are no longer talking about a seat belt charge—which is serious in and of itself, especially if you've been wrongfully accused. Please, schedule E just doesn't fly and should be severed. It would give a lot more integrity to this process. New Democrats are eager to talk about paralegal regulation, and I think the public is too.

Let me speak for a few minutes, because I don't have a whole lot of time, about schedule A, the amendments to the Courts of Justice Act. I want you to understand that there are already serious concerns being raised from some very important and legitimate and significant sources about elements of schedule A. I want to bring to your attention right now the expression of concern that

I've received and that others may well have also, and that is section 76 of schedule A. Now, understand what section 76 does. Let's talk about the motive for a minute. Don't get up on some point of order, because I'm not impugning motive; I'm merely identifying it. There's a difference, isn't there, Mr. Zimmer? There's a difference. I'm merely identifying the motive, far from impugning it. Section 76 says: "Documents and other materials that are no longer required in a court office shall be disposed of in accordance with the directions of the Chief Administrator," etc.

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I've got correspondence here from the Association in Defence of the Wrongly Convicted, a very important organization and group of people. Its honorary president, someone most of us know, is Judge Gregory Evans, and its board of directors are some of the best legal minds that this country has. They expressed to me, and I suspect to others as well, their concern about section 76 of schedule A of Bill 14, or what will be the new section 76 of the Courts of Justice Act. This is talking about disposing of—burning, shredding, otherwise getting rid of. We'll get to motive in just a second, or what I understand to be the motive. This is what the authors of this letter, Mel Green and Paul Copeland, have to say on behalf of this volunteer organization:

"For various reasons, the majority of wrongful convictions do not come to light until years after they occur and long after the people affected have been dealt with by the justice system. In most cases, it is necessary for" the association "and other innocence organizations to review the court files of those who claim to be innocent as part of the investigation of innocence claims.

"The court files often contain critical documents which may not be available from other sources. In some cases, the court file may contain biological exhibits, which could be used at some future time for DNA analysis or other scientific testing. For these reasons," the association "believes that it is entirely inappropriate to leave the disposal of court file materials to the 'discretion of the chief administrator,' whether or not that discretion is subsequently approved by a judicial officer." The association "submits that discretion has no place whatsoever in this context.

"It is the submission of" the association "that when dealing with materials which could be critical in the determination of guilt or innocence at some future time, there should be explicit and strict guidelines with respect to the preservation of such materials"—the preservation of those materials and, at a minimum, and I'm paraphrasing now, a complete prohibition against getting rid of any materials in a homicide court file and a similar prohibition against disposal of biological exhibits in any court file.

I agree entirely and the New Democrats agree entirely with the position put forward by the Association in Defence of the Wrongly Convicted in this letter to me of November 15. I suspect—and this is the sort of reason why we want committee hearings—that the motive be-

hind what will be section 76 of the new Courts of Justice Act, schedule A of the bill, should the schedule pass, is, again, efficiencies. The ministry's budget is flatlined or reduced. These things have to be stored; they have to be stored securely and in such a way that it preserves the integrity of them.

Well, at what price? At the price of wrongfully convicted persons, which is surely one of the great stains on our criminal justice system, isn't it? The wrongly convicted young men or women sent to penitentiaries, wrongly convicted of oftentimes atrocious crimes, which subjects them to some of the most inhuman treatment—unspeakable treatment—in those institutions. Surely, the phenomenon of the wrongly convicted is a horrible stain on our criminal justice system. What are we doing in Bill 14 with section 76, which would deny those wrongfully convicted persons the capacity to prove their innocence when the criminal justice system has failed justice?

I simply say to the government here and now that this observation is an illustration of yet another flaw in their bill, and it demonstrates why we in the New Democratic Party and why Mr. Runciman on behalf of the Conservative Party have insisted on full and complete hearings.

It also demonstrates why it's extremely dangerous to put forward omnibus legislation. I remember, for many of us, our baptism by fire when it came to omnibus bills. Sitting across from me here at this late hour is the member for Thunder Bay—Superior North, who was there too when Bill 26 was presented to this Legislature—yes, a baptism by fire. What we predicted at the time, when we were commenting on the dangerousness of omnibus bills, has come true in spades. It's not a healthy way to process legislation through the assembly. It isn't. What you've got here, once again, is an omnibus bill. I'm not trying to pretend it's the same weight as Bill 26—

Mr. Dave Levac (Brant): Thank you.

Mr. Kormos:—but it has the same inherent dangers, Mr. Levac.

We were all committed and the New Democrats were calling upon this government to come forward with the legislation that would permit us to begin the debate around the regulation of paralegals. We were as eager as anybody—and I'm going to get to paralegals in just a few minutes—to see that matter debated and discussed in committee, to see it made the subject matter of public input and then see it put into effect. But instead, no. We get an omnibus bill.

We've already got a schedule E that, I put to you, should be excised simply because it's bad law and bad policy. And I put to you that schedule A, the amendments to the Courts of Justice Act, similarly deserves and warrants consideration separate and apart from the debate around paralegal regulation.

There was some reference made to section 18 of schedule A of the bill, which will become section 116.1 of the act. I query here and now—and this is simple, honest, legitimate; just me asking—why, when the payments for future care of a victim of medical malpractice are going to be made over a protracted period of time,

those payments for future care costs, would the government specifically say that the courts shall determine the amount without regard to inflation? Why would the government do that? There may be a very clear answer. People from the medical malpractice branch of the Ontario Bar Association could well be on the phone to me the first thing tomorrow morning saying, "Kormos, how dare you make that comment?"

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But just from a little bit of a commonsensical view, if periodic payments for future care costs of a seriously injured party—because when you're talking about the application of this section, you're talking about somebody with some pretty significant injuries and future care costs, and those future care costs could take place over a period of 10, 15, 20 years or more, and if we calculate inflation, just as a guesstimate—you know more about this stuff than I do, Speaker—at 2% a year, and that is, I dare say it, a relatively conservative figure, look what that does to those future care costs paid out in periodic payments over the course of 10 or 15 or 20 years.

You thought I had somehow moved beyond advocating on behalf of innocent accident victims? Well, clearly, once again, this cries out for some answers. Why would the government not inflation-proof future care costs for a victim of a medical malpractice, I say to the parliamentary assistant? Once again, the insurance companies get a break and the innocent victim suffers. That's what it amounts to, doesn't it? Insurance companies get a break. Dalton McGuinty and the Liberals are in bed with the insurance companies and innocent victims of medical malpractice bear the burden. It never ends, does it? It never ends. I'm not suggesting that the insurance industry owns governments, but they sure as heck appear to be able to rent them from period to period. I raise now the concern around that particular section.

Let's talk about justices of the peace. Do you remember that period, from 1995 through to 2003, when we were plagued with bills from the Conservative government that had titles that were the 180-degree opposite of what the bill did? What was one of them? The Tenant Protection Act. Have I got that right? Does my memory serve me well? The Tenant Protection Act gave it to tenants. It did. "Tenant Protection Act" my foot. It was—well, I'll leave it at that. It gave it to tenants big time, and not a break, either. So here we've got a bill that's called the Access to Justice Act. We're going to have time to talk about that.

But first JPs. Look, I want to tell you, I was so incredibly fortunate, during my adult working life in my first career as a lawyer, to have been in an incredible number of courtrooms and to have been before some outstanding judicial authorities. I'll say it from the mountaintops: Ontario is blessed with probably the finest bench judicial authorities anywhere in the world. Certainly the ones I've had experience with and exposure to have demonstrated that.

I remember justice of the peace Tony Argentino. I don't know whether Mr. Bradley remembers him or not;

he's dead now. Tony Argentino from Thorold was a police officer with the old Thorold police force. And Tony Argentino was one darned good justice of the peace. Even when people were convicted and fined—

Interjections.

The Acting Speaker: Order, please. I cannot hear the speaker. The noise over there is much louder than he. Please continue.

Mr. Kormos: Would it help, Speaker, if I increased the volume a little bit?

I remember Tony; again, a delightful person, an outstanding justice of the peace. One of the tests of that was that even people who were found guilty and were fined or had their licences pulled walked out of his courtroom feeling that justice had been done. Mind you, the police thought he was a little too pro-defence. So be it. Another one, who's very much alive and well, Gabe Tisi in Welland, a friendly, hard-working justice of the peace, retired; and Morley Kitchen, who just brought an incredible level of expertise and professionalism to the bench during his service as a justice of the peace. He was a firm justice of the peace but very well read in the law and he ran a very, very capable, competent, professional courtroom where lawyers, witnesses and the accused all felt well served and treated with regard.

But just as I can name any number of good JPs, my goodness, I can name any number of really bad ones. Regrettably, the history of justice of the peace appointments in this province up to very much the present time has been a history of some pretty crass patronage, and when you've got crass patronage—patronage without merit—you end up with some pretty bad appointments. That's not telling stories out of school by any stretch of the imagination. I'd far sooner emphasize the good ones, the Tony Argentinos, the Gabe Tisis and the Morley Kitchens. But we all know who some of the bad ones are, don't we, Mr. Zimmer?

New Democrats welcome this legislative endeavour to professionalize the provincial offences bench. Is that a fair way to refer to the JP level of adjudication, the

provincial offences bench? I say it's a good and positive thing.

We all remember the notorious report by the Ontario Association of Chiefs of Police that, in a somewhat anecdotal way, referred to the practices of JPs, some of whom were as lazy as all get out, as indifferent as all get out to the responsibilities, and that's where Mr. Runciman talked about the duty JPs.

So I'm pleased to see—and it's not inappropriate—that in the legislation that's being proposed, there is the responsibility of the supervisory judicial authority to create a duty roster, which, as I understand it—but that's why this has got to go to committee. I want this to be very clear. I understand the duty roster is what puts a justice of the peace on midnight call over the course of the weekend so that he or she is available for police officers who need search warrants, arrest warrants and those sorts of things. Obviously, failure to perform your duty roster is going to get you into trouble with the review process.

And I welcome a process that takes the political patronage away from the appointments. However, let's be fair and understand that it's very clear that the appointments advisory committee will present to the Attorney General those justices of the peace that are identified as qualified and highly qualified. Of course, we still suffer the risk of political consideration rearing its ugly head. But, having said that, the appointments advisory committee will at least determine some level of merit. Patronage without merit is despicable and counter-productive; it's downright dangerous. Patronage with merit is understandable, at the very least. Not necessarily laudable, but understandable.

But I put this to you: I received a fascinating package of material from—

The Acting Speaker: I think before you get to the fascinating package—it's now 9:30, so you can save that for the next time.

The time now being 9:30 of the clock, this House stands adjourned until tomorrow at 1:30.

The House adjourned at 2131.

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of Ontario**

Second Session, 38th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 14 February 2006

Mardi 14 février 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 14 février 2006

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

FEDERAL MPS FROM DURHAM

Mr. John O'Toole (Durham): It is indeed my pleasure to stand in this Legislature and recognize and congratulate our new Prime Minister of Canada, Stephen Harper. I also want to recognize two members from the region of Durham who are now MPs and appointed to the cabinet of Stephen Harper. Our colleague Jim Flaherty was elected in the federal riding of Whitby–Oshawa and is now Canada's new finance minister. I am confident it will help to have a former Ontario MPP and former Ontario finance minister in this portfolio, especially as Ontario pursues the challenges of fair federal funding for the provinces, the fiscal gap.

Also in my own riding my federal counterpart, Bev Oda, was re-elected last month with an overwhelming majority. She was most recently named Minister of Canadian Heritage and Status of Women. I congratulate Bev personally for her commitment. I know she will do very well.

Durham region is proud of the fact that two of our federal MPs have been named to cabinet. The ministers will also be strong advocates for not just Durham and the GTA but all of Ontario, I'm sure. On behalf of the citizens of Durham and the region as a whole, I'd like to congratulate and extend our best wishes to Bev Oda and Jim Flaherty.

I would also like to mention the great work that I expect from all members of the federal Legislature and the cabinet, who are ably represented not just by those two but by John Baird as well.

ELAINE VOLLETT

Mr. Tony C. Wong (Markham): I rise in the House to congratulate one of Markham's outstanding residents, Elaine Vollett, for being one of only 38 Ontarians to have received the Ontario Medal for Good Citizenship this past Tuesday from our Lieutenant Governor, the Honourable James K. Bartleman.

Elaine's dedication to the public good along with her selfless and generous nature serve as a shining example to us all.

As a mother to an adult with special needs, Elaine was faced with the unfortunate reality that once school ended

for her son, so did his dreams. This led Elaine to start the Centre for DREAMS to give adults with special needs the opportunity to experience life through skills development. These skills include learning basic reading skills, how to use the public transit system and managing personal finances, to name just a few.

DREAMS stands for developing relationships with exceptional adults in modern society. Since its founding in September 1990, Elaine and her DREAMS team have created a safe, positive and welcoming environment for young adults with special needs.

DREAMS won the Award of Merit from the Markham Board of Trade in 2005, and in that same year the town of Markham named October the Month of Dreams in honour of the organization and its hero, Elaine.

Please join me in congratulating a good citizen, a dream-maker, an innovator, a mother, an educator and a hero of mine, Elaine Vollett.

Again, congratulations, Elaine. Ontario needs more people like you.

SEX OFFENDER REGISTRY

Mr. Garfield Dunlop (Simcoe North): Last Friday, February 10, I had the pleasure and the educational opportunity to visit and tour the Ontario sex offender registry at the OPP general headquarters in Orillia. I was pleased that our new MP for Simcoe North, Bruce Stanton, and the federal Minister of Health, the Honourable Tony Clement, MP for Parry Sound–Muskoka, were able to join me as well.

I would like to thank a number of individuals for their time and effort in making the tour possible: Deputy Commissioner Maurice Pilon, Detective Staff Sergeant Terry Nicholls, Detective Sergeant Jim Mascola, Detective Sergeant Robert Downie, Detective Superintendent Director Hugh Stevenson, and Detective Sergeant Steve Hayward.

As you are aware, the Mike Harris government initiated the Ontario sex offender registry when Christopher's Law was passed in this House in 2001. This bill was named in memory of Christopher Stephenson, who was brutally murdered by a repeat sexual predator.

The Ontario sex offender registry is considered by international experts to be a model registry. Although the Martin Liberals, under constant pressure, passed a somewhat diluted national registry in December 2004, there is much to be learned from the experience and expertise of the Ontario model. I asked my federal colleagues to

accompany me on this visit because, clearly, the more effective Ontario sex offender registry can be used to enhance community safety throughout our nation. The national sex offender registry should be an effective resource for all police services in Canada to utilize, as the Ontario sex offender registry is for all Ontario police services.

It is my intention to work with my federal colleagues to improve the national sex offender registry and, for that matter, the other provincial registries so that all Canadians can feel more protected thanks to the fine work being accomplished by the team at the Ontario sex offender registry.

LEGISLATIVE INTERNS

Mr. Gilles Bisson (Timmins–James Bay): This is both the happiest time and the saddest time in an MPP's life at this time in the Legislature, because it is a time when interns will be leaving some offices to move to other offices. I want to say on behalf of our office that having Marc Peverini work in our office as an intern has been nothing but a joy. I say to whatever Liberal across the way is going to get him, you'd better treat him right, because we like him, we want to keep him, and he has done an absolutely outstanding job.

Interjection.

Mr. Bisson: It's not bad. The Liberals are toying now. I'm trying to do something nice for you, Marc, and the Liberals are giving you a hard time—something that might happen in the future.

I just say to all interns who work in the assembly that we as members appreciate the work you do in our offices. You work very hard to learn much about what happens in the MPPs' offices. You are devoted to the work that you do. You're very non-partisan and professional in how you do it.

I have to say that the experience we've had with Marc has been nothing but exemplary. To his parents, who may be watching this at some time: Job well done. You raised an excellent son who I know is going to go very far in this world because he certainly has demonstrated in the time in my office that he is both diplomatic and hard-working and, a third thing, quite a remarkable young man when it comes to his abilities.

Marc, we're going to miss you. Yes, you do have to cross over to the darker side, but then you will know, working on the darker side, why it is so important to be back with us one day and help us conquer Ontario in the next election.

1340

CARNAVAL DES COMPAGNONS

NIPISSING WINTER CARNIVAL

M^{me} Monique M. Smith (Nipissing): J'aimerais souligner le lancement d'une activité culturelle historique dans ma circonscription de Nipissing. Il s'agit du 43^e

Carnaval des Compagnons des francs loisirs, qui se déroule du 10 au 19 février à North Bay.

I'm proud to rise today to inform the Legislature of the official opening this past weekend of the 43rd annual French carnival in my community.

Dimanche dernier, je me suis régalée de crêpes à la paroisse St-Vincent-de-Paul avant d'assister à la cérémonie d'ouverture à l'aréna Memorial Gardens en compagnie d'autres dignitaires et, bien sûr, du Bonhomme Carnaval.

Le Carnaval des Compagnons est enraciné dans nos souvenirs collectifs et dans notre vie communautaire. C'est un rassemblement de francophones et de francophiles ainsi qu'une célébration de notre riche patrimoine canadien-français. C'est aussi une occasion pour les élèves de notre région de faire valoir leurs talents au moyen de présentations, de spectacles, de sculptures de neige et de décoration d'écoles.

Je félicite les bénévoles, le comité organisateur et le président honoraire du Carnaval, M. Marc Rancourt, des efforts considérables qu'ils déploient pour assurer le succès du Carnaval des Compagnons.

Congratulations to all the volunteers and organizers and to our honorary chair, Marc Rancourt from Ontera, for their time, their effort and their enthusiasm.

Sur ce, j'encourage les résidents de Nipissing à participer aux activités du Carnaval qui se dérouleront cette semaine, comme les festivals du livre, les spectacles musicaux, la soirée des arts, les déjeuners, les soupers traditionnels et, enfin, le dévoilement du Bonhomme Carnaval lors de la cérémonie de clôture le 19. Soyons fiers d'être Franco-Ontariens, et bon Carnaval à tous.

AGRICULTURE INDUSTRY

Ms. Laurie Scott (Haliburton–Victoria–Brock): I speak often in the House on behalf of farmers and rural communities. I do this because agriculture affects my riding of Haliburton–Victoria–Brock greatly, but I can assure you that it impacts all Ontarians. Just ask the members of the grain and oilseeds producers of Ontario, who are here today at Queen's Park. They'll convince you that our economy needs a strong grain and oilseeds industry, and that farmers feed cities.

Agriculture is the second-largest industry in Ontario. They employ thousands, and their work spins off into the research, manufacturing and retail sectors. The Ontario grain and oilseeds producers include canola, corn, bean and soybean growers and wheat producers.

All MPPs, rural and urban, need to talk to these farmers today. You will realize that there is a crisis in this sector. For the second year they are making their voice heard at Queen's Park, at the Ontario Ministry of Agriculture in Guelph, and in Ottawa later this month. It's a shame that they have to do this yet again.

We owe these producers more than red tape and ineffective programs like CAIS. They were here last year and the government didn't listen to them. The McGuinty

government must listen to the unified voice in the Farmers Feed Cities initiative.

Our farmers work against unprofitable markets, banks repossessing equipment, and imports. They work in spite of government bureaucracy and frustrating and complicated programs, and they still sell goods at a fair price, while US competitors have huge subsidies. Two decades ago this sector had 1.4% of the provincial budget for their funding. Today they receive half of that.

Spring planting—

The Speaker (Hon. Michael A. Brown): Thank you.

WEARING OF PINS

Ms. Laurie Scott (Haliburton–Victoria–Brock): On a point of order, Mr. Speaker: I would ask for unanimous consent that the members who have Farmers Feed Cities buttons could wear them today in the Legislature.

The Speaker (Hon. Michael A. Brown): Agreed? Agreed.

TRANSIT FUNDING

Mr. Bas Balkissoon (Scarborough–Rouge River): I rise in the House today to speak about the tremendous investments we are making in public transit through gas tax funding. As the member for Scarborough–Rouge River, I am very excited about the progress we have made and the difference this will make in my community.

Investing in public transit is investing in our future. It's an investment in cities. It's an investment in our economy. It means reduced commuting times. It means having more time available to do what matters most: being with your family.

The past government reduced transit funding, and transit riders in Scarborough suffered. In 1998, the Tory government went from funding 75% of public transit operating costs to funding 0%. In 2002, they started funding one third of operating costs—less than half of the original funding.

For 2005-06, more than \$120 million in gas tax funding went to the city of Toronto alone. This means more frequent service, shortened wait times, reduced congestion on buses and increased nighttime services. I've seen the results working. This allows transit riders to travel more easily and with increased convenience.

I'm pleased to acknowledge that this funding is working for Scarborough and that progress is being made. An investment in our public transit was long overdue, and this Liberal government has delivered on its promises of the gas tax.

LOCAL HEALTH INTEGRATION NETWORKS

Ms. Caroline Di Cocco (Sarnia–Lambton): On November 24, 2005, the Ontario government, under Premier Dalton McGuinty, introduced Bill 36, the Local Health System Integration Act, 2005. The purpose of this

act is to implement a change that is intended to improve how our health care system is managed.

Local health integration networks are not-for-profit corporations that would be responsible to better facilitate local planning, coordinating and funding of local health services in 14 different geographical areas around this province.

This legislation represents a change to devolve from one decision-making centre for health care at Queen's Park for all of Ontario to 14 smaller decision-making entities across this province.

There is resistance to change by some groups, and they appear to be threatened by the uncertainty of change. Unfortunately, there's also a lot of misinformation being perpetuated by the groups who are resistant to LHINs. What LHINs are about is what every jurisdiction in Canada has done, which is to introduce some form of decentralization of health care, a model that Roy Romanow has been calling for for years.

TELEPERFORMANCE CANADA

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): Tomorrow will mark a new beginning—as they say in French, un nouveau commencement—in the city of Cornwall in my riding of Stormont–Dundas–Charlottenburgh. It is with great pleasure that I announce the opening of Teleperformance Canada, a company that is bringing 650 new jobs to the city.

Teleperformance, which is located just outside the city's downtown core, will, I'm sure, be the first of many companies in the near future to capitalize on the skills and dedication of Cornwall citizens. In bringing new jobs to the community, it will also be providing the means for its residents to give back to the city in terms of their economic contribution and social commitments.

Combine these new jobs with construction and spin-off work being provided by the numerous infrastructure projects—and, I must say, our hospital projects—happening in the city over the next few years, and I'd say we are looking at a new beginning for Cornwall.

The efforts of the provincial government, the municipal government and, above all, the businesses and citizens of Cornwall themselves are making this new beginning possible. There will be other difficulties ahead, I'm sure, and certainly we must continue to pursue economic and employment opportunities for the city. Still, there is a sense of hope and promise in the city, and I am proud to see it.

The last time he visited the city, the member from Dufferin–Peel–Wellington–Grey commented on the recent job losses Cornwall has faced. Today, I would invite him to join me in congratulating the people of Cornwall and in welcoming this new business and this new beginning in the city.

WEARING OF PINS

Hon. Jim Watson (Minister of Health Promotion): On a point of order, Mr. Speaker: I wonder if there would

be unanimous consent in the chamber, as this is Heart and Stroke Month, to wear this small heart and stroke pin. There are pins available in each lobby.

The Speaker (Hon. Michael A. Brown): Mr. Watson has asked for unanimous consent to wear the heart and stroke pin. Is it agreed? Agreed.

LEGISLATIVE PAGES

The Speaker (Hon. Michael A. Brown): I beg the indulgence of the House to allow the pages to assemble for introduction.

I would like to ask all members to join me in welcoming this group of legislative pages serving in the second session of the 38th Parliament.

From Mississauga East, Yasmeen Almukamis; from Huron-Bruce, Sarah Anderson; from York West, Anindita Asaduzzaman; from Markham, Chelsi Bonair; from Erie-Lincoln, Mark Both; from Oak Ridges, Michael Bourgeois; from Ottawa South, Nicole Brouwer; from Scarborough Southwest, Hannah Dies; from Simcoe North, Sandy Edmonds; from London-Fanshawe, Ian Fogarty; from Guelph-Wellington, Jordan Guetter; from Toronto Centre-Rosedale, Samar Haouas; from Scarborough Centre, Marc Lombardo; from Oakville, Katelynne Moors; from Willowdale, Nicholas Morra; from Etobicoke North, Matthew Paolucci; from Ottawa Centre, William Pigott; from Vaughan-King-Aurora, Junaina Pirbhai; from Brampton Centre, John Raji; and from Hastings-Frontenac-Lennox and Addington, Amelia Redmond.

1350

MOTIONS

COMMITTEE SCHEDULE

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Speaker, I believe we have unanimous consent to move a motion without notice regarding the standing committee on public accounts and the standing committee on social policy.

The Speaker (Hon. Michael A. Brown): Mr. Bradley is asking for unanimous consent to move a motion without notice relating to the public accounts and social policy committees. Agreed? Agreed.

Hon. Mr. Bradley: I move that, notwithstanding the order of the House dated Thursday, June 17, 2004, regarding the schedule for committee meetings, the following committees be authorized to meet as follows: the standing committee on public accounts on Thursday, February 16, Thursday, February 23 and Thursday, March 2, 2006, at the call of the Chair, to no later than 6 p.m.; and the standing committee on social policy on Wednesday, February 15, 2006, between 9:30 a.m. and 1 p.m. for the purpose of considering Bill 36, An Act to

provide for the integration of the local system for the delivery of health services.

The Speaker: Mr. Bradley has moved that, notwithstanding the order of the House dated Thursday, June 17, 2004, regarding the schedule for committee meetings, the following committees be authorized to meet as follows: the standing committee on public accounts on Thursday, February 16, Thursday, February 23 and Thursday, March 2, 2006, at the call of the Chair, to no later than 6 p.m.; and the standing committee on social policy on Wednesday, February 15, 2006, between 9:30 a.m. and 1 p.m. for the purpose of considering Bill 36, An Act to provide for the integration of the local system for the delivery of health services.

Is it the pleasure of the House that the motion carry? Carried.

OPPOSITION DAY MOTIONS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I believe we have unanimous consent to move a motion without notice regarding opposition day motions.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has asked for unanimous consent to move a motion regarding opposition day motions. Agreed? Agreed.

Hon. Mr. Bradley: I move that the opposition day provided for in the order of the House dated December 1, 2005, be scheduled for Wednesday, February 22, 2006, and that all other provisions as set out in standing order 42 shall apply.

The Speaker: Mr. Bradley has moved that the opposition day provided for in the order of the House dated December 1, 2005, be scheduled for Wednesday, February 22, 2006, and that all other provisions as set out in standing order 42 shall apply.

Is it the pleasure of the House that the motion carry? Carried.

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, February 14, 2006, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has moved government notice of motion number 59. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1355 to 1400.

The Speaker: All those in favour will rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Berardinetti, Lorenzo
Bradley, James J.
Broten, Laurel C.
Brownell, Jim
Bryant, Michael
Cansfield, Donna H.
Caplan, David
Chambers, Mary Anne V.
Chudleigh, Ted
Colle, Mike
Craiton, Kim
Crozier, Bruce
Delaney, Bob
Dhillon, Vic
Di Cocco, Caroline
Duguid, Brad
Duncan, Dwight
Dunlop, Garfield
Flynn, Kevin Daniel
Gerretsen, John

Gravelle, Michael
Hardeman, Ernie
Hoy, Pat
Jeffrey, Linda
Klees, Frank
Kular, Kuldip
Kwinter, Monte
Lalonde, Jean-Marc
Levac, Dave
Marsales, Judy
Matthews, Deborah
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Miller, Norm
Milloy, John
Mossop, Jennifer F.
Munro, Julia
O'Toole, John
Ouellette, Jerry J.
Parsons, Ernie
Peters, Steve
Phillips, Gerry
Pupatello, Sandra

Qadri, Shafiq
Racco, Mario G.
Ramal, Khalil
Ramsay, David
Rinaldi, Lou
Runciman, Robert W.
Sandals, Liz
Scott, Laurie
Sergio, Mario
Smith, Monique
Smitherman, George
Sorbara, Gregory S.
Takhir, Harinder S.
Tascona, Joseph N.
Tory, John
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Witmer, Elizabeth
Wong, Tony C.
Wynne, Kathleen O.
Zimmer, David

come the significant challenges they face in their day-to-day lives. As part of this strategy, we are investing \$28.5 million over the next three years to improve outcomes for these youth. This strategy includes outreach, mentorship and youth leadership programs, job readiness, employment programs and skills training. It will support the hiring of 39 youth outreach workers in Toronto, expanding to 62 across Ontario. These outreach workers will build relationships with youth, provide advice and connect them to appropriate services.

It will establish an annual program of summer jobs for youth from marginalized communities. This program will build on our experience with a smaller initiative funded by our government in 2004-05 and delivered in partnership with the city of Toronto. Starting this summer, the summer jobs for youth program will be expanded to include 750 youth, more than double previous numbers, expanding further to other areas of the province next year, to include 1,650 youth.

Our government is also partnering with the Toronto Police Service in an exciting, first-of-its-kind youth-in-policing program for 100 youth from marginalized communities starting this year, and next year the program will be expanded to include more than 150 youth and some other police services in other areas of the province.

We will also be piloting a school-based program in six Ontario high schools to support proactive peer mediation programs for early conflict prevention and increased student success.

The youth opportunities strategy complements the new youth challenge fund announced by the Premier two days ago, which will help Toronto neighbourhoods most in need of services to create new programs or enhance existing programs that help young people to overcome the significant challenges they face.

Our government believes in our youth. We will continue to listen to them and we will continue to do all that we can to help them pursue their dreams. In doing so, we can help to ensure brighter futures for our youth, their communities and our province.

POLICE

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I'm pleased to rise today to inform the House about a new resource available to police in the fight against illegal drug operations. I was proud to join senior Ontario police officers and several members of this House last week to open a new clandestine drug lab training facility at the Ontario Police College in Aylmer. The new lab is another example of our government's commitment to building safer communities by investing in the resources our police services need.

We are all aware of the dangers that illegal drug operations pose to our communities, and we owe it to those who protect us to give them the tools they need to do the job. This lab is one such tool in our fight against illegal drugs and the problems of violence, guns and gangs that come along with them.

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles
Horwath, Andrea

Marchese, Rosario
Martel, Shelley

Prue, Michael

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 70; the nays are 5.

The Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

YOUTH SERVICES

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): Our government has a vision for Ontario's children and youth. Our vision is one of hope and opportunity. Over the past two years, since the Ministry of Children and Youth Services was created, we have been transforming and improving the many sectors that provide support to our young people. This includes sectors that deal with some of our most vulnerable children and youth: child protection, children's mental health and youth justice.

Sadly, we too often see our children and youth appearing in multiple areas of our mandate. That is why we are working with our partners to build a system that is focused on the needs of our children and youth, a system that provides prevention and early intervention services and more community-based services and programs for youth who need help to overcome their difficulties so they can achieve their full potential.

That is why I am pleased to announce that I launched our government's new youth opportunities strategy this morning. It is a strategy that responds to what young people have said they need in order to help them over-

Ontario Police College instructors will use the new mock drug lab to train officers how to identify, investigate and dismantle these illegal operations. The mock-up includes a realistic marijuana grow operation and a kitchen-based methamphetamine lab, presenting students with all the challenges they will face dealing with actual clandestine drug operations. It's another resource the college will use to prepare recruits and seasoned veterans alike for the evolving challenges they face policing our communities.

Clandestine drug laboratories, whether they are growing marijuana or manufacturing methamphetamine, pose a serious threat to the health, safety and economy of Ontario's communities. Across Ontario, marijuana grow operations cost the provincial economy millions in property losses and stolen electricity. These dangerous operations also pose serious health and fire risks.

We've all heard about the emerging threat of crystal meth. It's a very dangerous and harmful drug that ruins lives. It is highly addictive and cheap to manufacture, which means it is a particular danger for youth in our communities. We also know that illegal drug operations act as a catalyst for much of the gun and gang violence we now see in our cities. Law enforcement officials indicate that most of the marijuana harvested in Canada is exported to the United States in exchange for guns and other drugs, such as cocaine.

Events here in Toronto over the past year underscore the need for the government to take action to limit the flow of illegal guns into our province, and combating the illegal drug trade is a key step to doing just that.

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Helping police with the resources they need to shut down grow-ops and meth labs is a priority for the McGuinty government, a priority we take very seriously. As well as our investment in this training facility, we have taken several other important steps. Last December, the Legislature passed a bill to make it easier for police, municipalities, hydro distribution companies and the provincial government to work together to identify, shut down and make safe illegal marijuana grow operations. Last year, I also established the crystal meth working group. It brings together public safety and health experts to determine the extent of the meth problem in Ontario and to recommend ways the government can assist our community partners to deal with the production and use of this dangerous drug. We also lobbied the federal government for stiffer penalties for production, possession and trafficking of methamphetamine. We were pleased to see the maximum sentence raised from 10 years to life in prison.

We are working quickly to help municipalities and police services across Ontario hire 1,000 new police officers. My ministry is investing more money—an extra \$14 million in 2006-07—to accelerate the hiring and training of those 1,000 new officers. This money will make sure that if the police services want to hire their entire allocation this year, they will be able to do so. Through our Safer Communities—1,000 Officers Partnership program, we are providing more than \$37 million

every year in perpetuity as an investment in crime prevention and law enforcement and making our communities safer and stronger.

Under the program, 500 officers are being assigned to duties related to six priority areas, one of which is organized crime, including grow-ops. Officers are also assigned to youth crime, guns and gangs, domestic violence, dangerous offenders, and protecting children against Internet luring and child pornography. The other 500 new officers are being assigned to community-based policing, such as street patrols, working with schools, and traffic enforcement. Our program means more police officers patrolling our streets, more officers tackling illegal drugs, and more officers helping to make our communities safer and stronger. When you add on our ongoing funding for the community policing partnership program, our government is spending over \$68 million every year to help fund 2,000 new police officers across Ontario.

Like all new police officers, recruits under our 1,000 officers program will come first to the Ontario Police College for basic constable training. Four hundred of the 1,000 new officers have been hired and will have graduated from basic police constable training at the Ontario Police College by spring. Seventy-nine of them are there right now getting world-class training and instruction. This is a role the college has played for more than 40 years. Over that time, the Ontario Police College has built an international reputation for excellence in law enforcement training. Indeed, several police services from the United States, including the Federal Bureau of Investigation, take advantage of the Ontario Police College's training expertise. But what is most important from Ontario's point of view is that, for more than four decades, this college has been graduating the exceptional police officers who work tirelessly every day to protect our communities.

One of the keys to the college's success is the strong support the college receives from the policing community. Indeed, Chief Armand La Barge, as president of the Ontario Association of Chiefs of Police, has been a champion of the new drug lab and continues to be a strong advocate for the college and its programs. I want to thank him for his support and I also want to express my pride in the work being done at the Ontario Police College to make sure Ontario's police officers remain among the best-trained in the world. The staff and instructors share a passion for maintaining the college's well-deserved reputation as a world-class police training facility. With them, we share a common goal: to provide our police officers with the resources they need to protect and strengthen Ontario's reputation as one of the safest places to live in the world.

BLACK HISTORY MONTH

Hon. Mike Colle (Minister of Citizenship and Immigration): As Ontarians, we are privileged to live in one of the most diverse societies on earth. Diversity is our heart and our soul. It is our strength. It is our history.

Today, I'm proud to rise in the House to acknowledge the celebration of an integral part of our history, the experience of the black community in Ontario, during Black History Month, and to pay tribute to the black Ontarians who have helped weave the social, cultural and economic fabric of our society.

The profound impact of these men and women can be seen throughout history, a history that goes back to 1604, when Mathieu Da Costa was the first recorded person of African heritage to set foot on Canadian soil, along with the great explorer Samuel de Champlain; also Olivier Le Jeune, who at six years of age was taken from Madagascar by the English and accompanied his masters to New France back in 1632.

The narrative includes trailblazers like Harriet Tubman, who helped 20,000 black men and women seeking freedom to find their way to Canada, and Mary Ann Shadd, who started the first integrated school in Canada and was the first female newspaper editor and the first female black lawyer in North America. It also includes Delos Roget Davis, who became one of Ontario's first black lawyers, and William Peyton Hubbard, who was the first black member elected to Toronto city council. It is a long and distinguished list that continues to grow as the torch is passed to a younger generation that includes artists, playwrights, journalists, musicians, business people and public servants, to mention a few.

Though this history is about individuals, it is also a story about specific black communities throughout Ontario. These great communities include Windsor, Amherstburg, Chatham, London, St. Catharines, Toronto and Grey county.

Today we will be celebrating this collective contribution at a reception in the legislative dining room at 4:30. I invite all my honoured colleagues in the House to join with me and the Honourable Madeleine Meilleur, the Minister of Culture, to share in the great celebration. As part of the celebrations we will recognize Alvin D. McCurdy, a carpenter, historian and collector of historical photographs and documents that chronicle the early black settlements of Ontario, and in particular the great city of Amherstburg, where he was born. Mr. McCurdy was born in 1916 and passed away in 1989. Upon his death, his estate donated his entire collection to the Archives of Ontario. We owe Mr. McCurdy a great debt. His collection will live on forever and will be an invaluable resource for researchers, genealogists, scholars and children and will touch us all.

Again, please join with me as we celebrate the 10th anniversary of the national declaration of February as Black History Month in Canada.

HEART MONTH

MOIS DU COEUR

Hon. Jim Watson (Minister of Health Promotion): February is Heart Month in Canada, and it's only fitting that on Valentine's Day, a day synonymous with affairs of the heart, we pause to reflect on how important it is for

us to keep our hearts healthy. Heart disease remains a leading cause of death in Canada. More than 40% of Canadians will develop heart disease in their lifetime, and nearly 70% have been affected in some way by heart disease or stroke. Troublingly, a recent Heart and Stroke Foundation report that was released yesterday showed that 58% of baby boomers think their weight has little or no effect on their health, this despite obesity rates among boomers rising 60% in the last 10 years.

The good news is that 80% of coronary heart disease can be avoided by exercising regularly, eating healthy foods, avoiding smoking and managing stress.

Notre gouvernement s'engage à promouvoir la santé auprès de l'ensemble de la population ontarienne pour une Ontario en santé. C'est pourquoi nous prenons des mesures pour aider les Ontariens à être en meilleure santé et à mener une vie plus active.

One of our key partners in raising awareness and conducting vital research is the Heart and Stroke Foundation of Ontario. I'd like to acknowledge in the presence of the House and the gallery the chief executive officer of the Heart and Stroke Foundation, Mr. Rocco Rossi; Justin Brown, manager of government relations; and Laura King-Hahn, senior specialist, health partnerships. Thank you for the good work that you're doing.

Our government is an active partner in helping to educate Ontarians about preventing heart disease. The Ministry of Health Promotion invests \$5.6 million a year in initiatives designed to promote heart health across Ontario through the Ontario heart health program. The Ontario heart health program is a community partnership that focuses on risk factors for cardiovascular diseases and other chronic diseases. Last month I had the opportunity to see an example of the Ontario heart health program in action when I visited the Thames Valley Children's Centre in London, Ontario. The children's centre, which does great work, gives parents and children an opportunity to gather at a centre and participate in physical activity and rehabilitation. At the Thames Valley Children's Centre, programs through the Ontario heart health program are also designed to allow disabled children to participate in physical activity.

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Throughout the province, our government has worked with our partners and stakeholders to introduce Ontario's Eat Smart! healthy restaurant program. The Eat Smart! designation allows individuals and families to choose from a variety of healthier food choices on the menu and by request at any restaurant featuring the Eat Smart! symbol.

Accroître le taux d'activité physique des Ontariens constitue une autre priorité pour mon ministère. À l'heure actuelle, seulement 48 % des adultes ontariens sont assez actifs physiquement pour rester en bonne santé. Vie Active 2010, notre stratégie en matière d'activité physique, vise à ce que d'ici 2010 au moins 55 % des Ontariens mènent une vie active.

Last fall, Minister Kennedy and I were pleased to launch 20 minutes of daily physical activity as part of our government's healthy schools program.

Another major cause of heart disease is smoking. I'm very pleased and proud of the McGuinty government's track record on making Ontario smoke-free, the legislation of course taking effect on May 31 this year. Tobacco is a major factor in heart disease, stroke and diseases of the vascular system. Smoking-related cardiovascular disease is responsible, sadly, for over 6,000 deaths annually in Ontario. These are financial and human costs that we simply cannot afford.

Our government is taking steps to improve the heart health of all Ontarians, young and old. We're getting the message out that prevention is key, and this means eating foods that are healthy, exercising for 30 minutes a day and quitting smoking.

As we pause to celebrate the romance of Valentine's Day, let us take a moment to celebrate heart health in the province of Ontario.

As a former chair of Ottawa's person-to-person campaign for the Heart and Stroke Foundation, I encourage residents of Ontario to be generous when a dedicated volunteer comes to your door seeking support for the tremendous work the Heart and Stroke Foundation does each and every day in this province.

The Speaker (Hon. Michael A. Brown): Response?

YOUTH SERVICES

Mrs. Julia Munro (York North): When it comes to youth opportunities, I'm glad to see the government finally responding to concerns that our party has been raising for a long time. Our leader, John Tory, has been talking about the importance of helping young people long before today. As he pointed out in this House yesterday, he called on you in August 2005 to put in place a coordinated program that would achieve results.

Our party's Time for Action report contains 22 recommendations for making our communities safer and helping youth at risk. I encourage you to look at our report and to remember that fighting youth violence requires both helping youth at risk and a better enforcement and justice system.

POLICE

Mr. Garfield Dunlop (Simcoe North): As critic for community safety and correctional services, I'm very pleased to respond to Minister Kwinter's announcement.

Minister, in your fourth paragraph you say, "We owe it to those who protect us to give them the tools they need to do the job." I'm curious: Is the establishment of the clandestine drug lab at the Ontario Police College part of your justice modernization plan?

I think you should be able to recall that that was a plan that has seen \$339 million slashed from the justice ministry. You and the Attorney General both endorsed that plan. You called it "ambitious and comprehensive" in your September 27, 2005, memo.

Although you spent \$230,000 on the drug lab, how much would have been available to our justice ministry

for fighting illegal drug crimes if in fact you had not decided to do a lot of slashing with that ministry?

Minister, I'm pleased that you made the announcement at the Ontario Police College. You've actually opened it up, but I'm very curious where we'll see your government go with your plan to slash \$339 million from the justice ministry.

BLACK HISTORY MONTH

Mr. Frank Klees (Oak Ridges): I join with my colleagues today in celebrating the diversity of our province and our country. We join all Canadians in honouring the legacy of black Canadians, past and present, during Black History Month.

This is a time to celebrate the many achievements and contributions of black Canadians who, throughout history, have done so much to make Canada the culturally diverse, compassionate and prosperous nation we know today.

This past Sunday, John Tory attended the 10th annual Ontario Black History Society launch, an event that recognizes the experiences, accomplishments and achievements of Canadians of African ancestry. He made the following statement, which I would like to read into the record on this occasion: "I believe Black History Month must ultimately be about the future, about the bright horizons ahead and the great things our African-Canadian communities can achieve and all Canadians can build together."

I too want to join in expressing gratitude to Mr. Alvin McCurdy and his family for their gift of history to our province, and invite all Ontarians to join us in celebrating Black History Month.

HEART MONTH

Mr. Norman W. Sterling (Lanark-Carleton): I want to add the voice of the PC caucus in support of Heart Month and the Heart and Stroke Foundation's fundraising campaign. Our party led the way with regard to reforming laws in Ontario to disallow smoking in public and private places. In December 1985, I introduced the first bill in Canada to control smoking in the workplace and in public places. Our party is proud of our record in terms of this very harmful social habit that led to so much heart disease in the past.

I want to encourage Ontarians to make healthy choices in an effort to prevent heart disease and stroke, simple things like eating less fast food and takeout, increasing the number of fruits and vegetables you eat, and increasing physical activity by just 10 minutes a day. These are only three of the Heart and Stroke Foundation's 10 suggested ways to improve your health.

Although we can prevent cardiac disease, it doesn't resolve all the problems with regard to those who require surgery. I am proud of the fact, and I want to remind all Ontarians, that the Progressive Conservative government, of which I was a member, reduced wait times for cardiac surgery by half between 1996 and 2003.

Before I finish, I would like to recognize the representatives of the Heart and Stroke Foundation and thank them for all the hard work they do on our behalf.

Ms. Shelley Martel (Nickel Belt): In response to the statement made by the Minister of Health Promotion, I want to refer to some of the results that were released yesterday by the Heart and Stroke Foundation of Canada in its annual report on Canadians' health, because the results that were released yesterday show just how far every government, including the Ontario government, has to go to deal with heart health.

The results were shocking: 30% of baby boomers are obese, compared to 19% a decade ago; 24% of today's seniors are obese. Secondly, more than half—52%—of boomers are physically inactive, up from 43% a decade ago; 50% of today's seniors report a sedentary lifestyle. Thirdly, while smoking rates have decreased among boomers over the past decade, from 29% to 21%, they are still much higher than the 11% of seniors who smoke.

Those results were followed up by commentary by health care professionals who deal with this issue on a daily basis, and I want to read into the record some of their quotes.

“This year, every day almost 1,000 Canadian baby boomers will turn 60, entering the prime age for heart disease and stroke,” says Dr. Beth Abramson, Heart and Stroke Foundation spokesperson and cardiologist. “Rising obesity rates and inactivity among boomers could threaten years of steady progress towards better heart health.”

Quote number two: “Boomers are clearly heading towards a downward spiral when it comes to their heart health,” she said. “The picture is not good when compared to the previous generation, today's seniors. Boomers are certainly not headed in the right direction.”

Finally, “We know that 42% of Canadians already in their 60s report having heart disease, stroke or hypertension. Boomers—with their high rates of obesity and inactivity—could be even worse off,” says Dr. Robert Reid, Heart and Stroke Foundation researcher.”

I think that's probably why Mr. Rossi, when he came before the social development committee with respect to the LHIN legislation, raised these two concerns and asked the government to respond to these two very serious concerns:

“One of our concerns about the establishment of LHINs is that there will not be clear accountability at the provincial level to ensure continuing progress with implementation of the stroke strategy. This strategy must be continued for the sake of today's patients and those at risk of becoming patients in the future. It must continue to be the object of improvements, such as increased powers for the provincial and regional steering committees to hold health care providers accountable for integration.”

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The second concern had to do with research. I quote again from Mr. Rossi: “I don't believe that Bill 36 even mentions the word” research. “True integration must

include strong links to research so that we minimize the gap between what we know and what is practical. Good research has been the bedrock of our foundation's success and the wellspring of innovation and improvement.”

I look forward to seeing the government amendments that respond, because so far they haven't been put to the committee.

BLACK HISTORY MONTH

Mr. Rosario Marchese (Trinity-Spadina): New Democrats join the Minister of Citizenship in celebrating Black History Month. We say, through Black History Month, that we acknowledge that African Canadians have been here in Canada and in Ontario for hundreds of years. Through Black History Month, we confirm and affirm the contribution of African Canadians in Ontario.

The Minister of Citizenship mentioned some of the trailblazers. I would add a couple of more names to that list: Rosemary Brown; Zanana Akande; Alvin Curling, who was a Liberal MPP in this place for a long time; and Lincoln Alexander.

I want to remind the governments of their obligation, and I would remind all the MPPs of our obligation, to do things that celebrate Black History Month. I say this: In the Toronto Board of Education, we are losing the international language program, including the black cultural programs, because the Toronto board cannot afford to keep them. Unless provincial governments donate and give some money to the Toronto Board of Education to keep the black cultural programs, they will die.

I will remind the government that we used to have an anti-racist secretariat from 1991 to 1995. We no longer have it. The point of having an anti-racist secretariat is to say that the government is committed to fighting racism. This government should think about reinstituting an anti-racist secretariat, because as much as we would love for racism to disappear, it hasn't, and we need to work proactively to deal with it.

I would remind the government that they should employ employment equity principles as we talk about access to jobs and to promotion. I would remind the government that the salaries of racialized communities are much lower than white society, and that we, as a government and as members, need to deal with these issues and many more issues that I haven't been able to touch on.

ORAL QUESTIONS

OMERS PENSION FUND

Mr. John Tory (Leader of the Opposition): My first question is to the Premier. Premier, I think that all of us agree that an illegal strike anywhere, any time, is wrong, and I think it is our obligation to do everything we can to

prevent it. When I wrote to you today, I was not suggesting that you should give in or give up; I was merely suggesting that you try sitting down with all concerned—officials from the police and fire and other emergency responders, CUPE, municipalities—and see if we could find a way to resolve some of these issues and to avoid a damaging and dangerous illegal strike.

Why won't you even consider such a meeting, using your good offices, not to force your way on people, but just to see if we could try to resolve some of these issues? Why wouldn't we give that a try?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I appreciate the spirit that informs the leader of the official opposition's question today, but I have an important responsibility. That responsibility is to honour a specific commitment made to both municipalities and workers, a subsection of which is very important; of course that is CUPE. I further made a specific commitment to introduce legislation that would enable police and firefighters, recognizing the grave risks associated with their work, to negotiate additional supplemental benefits, including the ability to retire a little bit early.

I've got to live up to that responsibility. That's why we intend to move forward with this legislation. There has been much opportunity, I want to assure the leader of the official opposition, for discussion and for committee hearings and for amendments and the like, and we are eager now to move forward with this bill.

Mr. Tory: I think we all recognize that we all have important responsibilities. We all recognize, for example, in principle, the desirability of special recognition being given to those emergency response workers to have separate retirement arrangements. But in the end, you know you have the numbers to pass this bill this month, next month, June—whatever. It's obvious from the 100 or so amendments made so far that the extensive consultation you referred to yesterday hasn't been extensive enough. And it's obvious, from the generally chaotic situation that exists where we're on the brink of an illegal strike, which none of us wants to see and none of us approves of, that the situation has not been the result of extensive enough consultation.

So I ask you again, notwithstanding the important responsibilities, notwithstanding the points of principle, but recognizing that you have the time to pass this, you have the numbers to pass this well off into the future, why won't you take a bit of time to listen, to try to cool things down, to try to avoid a much worse situation, including an illegal strike which we all oppose and must do whatever we can to avoid? Why won't you do that?

Hon. Mr. McGuinty: I say to the leader of the official opposition that I have asked that CUPE members honour their commitment to the people of Ontario and continue to maintain those services upon which we all rely. I think it's important for all of us to respect the process.

We have done more than that, I would argue. We have had two rounds of committee hearings. The bill will be brought back into the House. There will be an oppor-

tunity for additional debate. We will respect, and we have throughout this matter respected, the process. I would ask that CUPE workers, and Mr. Ryan in particular, also respect the process and honour the law. We have made a commitment. We are living up to that commitment, and we will continue to do so.

Mr. Tory: Even if it was to make that plea in person—he's offered to meet you, he's given you his cell-phone number, he's made himself available—even if it was to make that representation, in which I share, which is to ask him to honour the law and maybe just to spend a few minutes listening to him, would the Premier please tell me, when you know you have the numbers to pass this bill whenever you want between now and the spring or any time, what do we have to lose if you take the time and make the effort to bring municipalities, police, unions and other sponsors together in your office and use your good office to try to avoid this illegal strike, try to resolve these issues through means other than these kinds of chaotic situations like an illegal strike? What do we have to lose?

Hon. Mr. McGuinty: The leader of the official opposition will know that there are always groups that, in one way or another, will be opposed to any government initiative put forward by any government of any political stripe. They are entitled, of course, to register their concerns. But I think, and I know the leader of the official opposition would agree with me in this regard, it is unfortunate that one particular opponent—who represents, by the way, a minority of OMERS plan holders—would engage in a game of brinksmanship. I think each and every one of us should respect the process. There has been a process respected by our government. We had 13 separate days of committee hearings. We entertained over 100 various amendments and in fact adopted some put forward by the opposition. We have a commitment. It is our intention to live up to that commitment. But, in doing so, we will always respect the process and those who might be opposed.

MINISTERIAL CONDUCT

Mr. John Tory (Leader of the Opposition): My question is again to the Premier. We heard a lot from you yesterday about what is not in your rules and your set of standards for ministerial behaviour. Could you please tell us here today exactly what your standards are for ministerial behaviour, and people staying or going from your cabinet?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I know that the leader of the official opposition would certainly hold himself out to be a fair man. And, in fairness, we should respect the findings in the Integrity Commissioner's report.

The leader of the official opposition made three separate allegations surrounding Minister Takhar. One was that he enriched himself or his business. Another was that he was involved in the management of the business. The third was that the trustee was no longer at arm's length.

The Integrity Commissioner specifically found, on the first two allegations, that there was no complaint. He did not agree, and the leader of the official opposition knows this. What he did, in fact, find was that there was a breach of the act, and it had to do with the fact that, although he had had his trustee previously approved by the Integrity Commissioner, he should have brought to his attention that he was no longer in an arm's-length position. That is the subject of the Integrity Commissioner's report and that's why he found that Minister Takhar was in breach of the integrity act. I just think it's really important that we understand the facts here.

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Mr. Tory: I do agree with the Premier that it's important we understand the facts, and the facts are that, for the first time ever, a cabinet minister has been reprimanded under this act, that the cabinet minister in question has been found guilty of egregiously reckless behaviour and negligence by the Integrity Commissioner—

Interjections.

Mr. Tory: Well, that's what his decision says.

Yesterday, you said that all was fine because his behaviour "does not involve an abuse of taxpayers' money through expensive hotel rooms and steak dinners. Minister Takhar did not in any way enrich himself; he did not in any way abuse or was even seen to attempt to abuse taxpayer dollars." Since you wouldn't answer my first question, can I assume that the standard of behaviour that you apply to your ministers is that if it's anything other than steak dinners, expensive hotel rooms, self-enrichment or abuse of taxpayers' money, then it's okay? Egregiously reckless conduct and negligent conduct is fine; only if it's hotel rooms and steak dinners does it count as being worthy to lose one's job in your government.

Hon. Mr. McGuinty: What the leader of the official opposition can assume is that the facts in each of these matters are important. Again, I'll repeat this because I think it's very important. The allegations were threefold, coming from the leader of the official opposition. One was that Minister Takhar enriched himself or his business. In response to that, the Integrity Commissioner said, "In my opinion, there is no evidence, direct or circumstantial, upon which I could find that the minister breached section 2."

He then said that he was involved in the management of a business—that was the leader of the official opposition's allegation. The Integrity Commissioner said, "I can find no more than an error in judgment.... I therefore conclude this aspect of the complaint has not been established." But he did say, in fairness to the leader of the official opposition, that he should have notified him of the change of status of his trustee. In response to that, he said: "I have to recognize that the minister did not go about intentionally trying to short-circuit the system. I accept his statement that had he realized that his arm's-length relationship" with his trustee "was compromised, he would have taken steps through his office to straighten things up." On the basis of those facts, I have come to the conclusion that Minister Takhar should stay in cabinet.

Mr. Tory: I think, whatever the facts are, the one fact that is—

Interjections.

The Speaker (Hon. Michael A. Brown): Stop the clock. Minister of Northern Development.

The Leader of the Opposition.

Mr. Tory: The one fact that can't be contradicted is that, for the first time in the history of this regime and this act, and having an Integrity Commissioner passing judgment on matters of this kind, a cabinet minister has been reprimanded. Whatever various interpretations may be of what has been said, that is a fact and you have accepted that, whereas before, when a minister was not reprimanded but was found to have breached the very same law, you said it was cause for his resignation.

I think your ministers, Premier, should take great comfort in knowing they can get away with just about anything before you would ask them to step aside. Can we now conclude that a minister is free to act in a reckless and negligent fashion as long as it doesn't involve public dollars? Can we now conclude that it's okay for your ministers to breach the Members' Integrity Act as long as it serves the government well politically? This was not your standard when you were in opposition. What are your standards now that you're Premier of Ontario? What does it take for someone to lose their job in your government?

Hon. Mr. McGuinty: The leader of the official opposition has trouble accepting the facts, and the facts are not unimportant. In fact, they are important. The important issue here upon which the Integrity Commissioner came to the conclusion that the minister had breached section 11 of the Members' Integrity Act was whether the trustee, previously approved by the Integrity Commissioner, was no longer at arm's length from the minister. He says, "I conclude that the minister has breached section 11 of the act." He goes on to say, "I have to recognize that the minister did not go about intentionally trying to short-circuit the system." He says, "I accept his statement that, had he realized that his arm's-length relationship with his trustee was compromised, he would have taken steps through this office to straighten things out." So if the leader of the official opposition wants to know what my standard is on this matter, I believe that in these circumstances, given those facts, it is appropriate that Mr. Takhar apologize, as he did, and that he remain in cabinet.

VISITOR

The Speaker (Hon. Michael A. Brown): I would take just a moment to draw members' attention to the east members' gallery and introduce a former colleague, Murad Velshi from the riding of Don Mills, who served in the 34th Parliament.

NUCLEAR ENERGY

Mr. Howard Hampton (Kenora-Rainy River): To the Premier: Last May, your then-energy minister,

Dwight Duncan, promised “full public discussion and dialogue” on new nuclear plants. In December, you promised “a full and open public consultation” before approving more nuclear plants. Today we learn that your electricity generating company, Ontario Power Generation, has been in the backroom already sizing up plans for two new nuclear plants at Darlington and near Port Hope. Premier, is this what you meant by a full and open public consultation on nuclear power?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Energy.

Hon. Donna H. Cansfield (Minister of Energy): I thank the opposition member for the question.

At no time did we give any instructions to Ontario Power Generation to participate in any discussions with the Canadian Nuclear Safety Commission. In fact, the only time that we had discussion with them was to increase the water power in this province, starting with Upper Mattagami, because renewables is a particular emphasis that we want to have.

If in fact the gentleman is referring to the briefing notes, those notes were not from Ontario Power Generation; they were actually from the Canadian Nuclear Safety Commission.

Mr. Hampton: I will quote from the briefing note. “Prospect for new build: OPG has two potential sites that may be available for a new build.” But you see, Minister, the McGuinty government is the sole shareholder of Ontario Power Generation, so they couldn’t be taking direction from anywhere else, because there’s no one else to direct them but the McGuinty government. So my question is, again: Is this what the Premier meant when he promised a full, public, open consultation on nuclear power, that Ontario Power Generation would be in the backroom already sizing up sites for new nuclear plants before any consultation process was ever held? Is that the McGuinty promise?

Hon. Mrs. Cansfield: The member again, as usual, has quoted only part of the briefing notes. In fact, the Canadian Nuclear Safety Commission has a responsibility, as you know, to be on-site for every nuclear station. They work very closely with all of the plants. They look at the outages and the problems that they have; they look at the challenges that are facing, obviously, the stations that are older.

But having said that, one of the questions I think we should recognize is that we are currently, in 12 cities across this province, asking Ontarians what they think. That’s what we are doing. Yesterday, I was in Mississauga. I had the opportunity to be there for three hours and listened to the input from Ontarians about what they feel the mixed fuel supply should be about. I was very interested to find that people were not just relying on a particular fuel; they were looking at all the mixed supply, with a significant emphasis on replacement for renewables, for conservation, and what else we could do to ensure that the lights are kept on for the people of Ontario.

Mr. Hampton: Well, I say to the Premier, this looks like the biggest fix since Salé and Pelletier got robbed of

the gold medal at the Olympics. You promised people full, open, public consultations on nuclear power. Even months before your sham process begins, Ontario Power Generation is already sizing up site locations for two new nuclear plants. Premier, given your obvious broken promise, why should people across Ontario believe anything the McGuinty government says about nuclear power?

1450

Hon. Mrs. Cansfield: Again, it’s interesting that the member only chooses part. In fact, if you look at the briefing notes, they indicate that “OPG has a number of initiatives underway to prevent the need for a long outage to replace feeders ahead of the projected date for reactor refurbishment.” There are a number of initiatives. It is part of their responsibility to maintain the generation plants at absolute and uttermost peak. It is their responsibility to work very carefully with the Canadian Nuclear Safety Commission on all of their reactors. It’s absolutely no different for Bruce.

There was nothing that came from this government other than that they had the regular meetings they normally do. There was nothing from this government other than the fact that I met with OPG and asked them to increase the water supply in this province, starting with Upper Mattagami because we know that there’s additional water that we can use for hydroelectricity in this province that has been underutilized and underinvested in for the last 12 years.

The Speaker (Hon. Michael A. Brown): New question, the leader of the third party.

Mr. Hampton: To the Premier: I know the Premier doesn’t want to hear about his latest broken promise, but I think it’s important that he hear what people are saying about the McGuinty mega nuclear power scheme. The Toronto Star says that at last night’s Toronto open house, speaker after speaker said “nuclear power is expensive, unreliable and dangerous to the environment and human health.”

Premier, you promised to listen to working families. Instead, Ontario Power Generation is already selecting sites for new nuclear plants. Is this what the McGuinty government meant by full, open and public hearings on nuclear power—a sham process that starts before any consultations are even held?

Hon. Mr. McGuinty: To the Minister of Energy.

Hon. Mrs. Cansfield: If you recall, under Bill 100 we actually put in place the Ontario Power Authority, which had the responsibility to engage in a process of consultation to develop a mixed supply option for this province because we actually have to replace 25,000 megawatts of supply by the year 2025. They went out and participated—over 40 newspapers; over 280 individuals. The stakeholders actually called in Greenpeace, not once, not twice but three times, and the Sierra Club. They had a broad range of consultation.

They then came to this government with their recommendations. We posted it on the EBR. My office has been open and I have met with virtually everybody who

wants to meet with me. There were a few who didn't show up. We have had continuous engagement through e-mail. We have had continuous engagement through letters. Now we're participating in 12 communities.

Once that is done, then it goes to the Ontario Energy Board, which in fact engages in another public consultation, and then when the projects are determined, they engage in another —

The Speaker: Thank you. Supplementary.

Mr. Hampton: I want the Premier to hear what Elizabeth May, executive director of the Sierra Club of Canada, has to say about your process. She's a respected environmentalist and an Officer of the Order of Canada. At last night's open house whitewash in Ottawa, she said that your consultations are inadequate or, in her words, "a dog and pony show with no dog and no pony." Premier, Elizabeth May of the Sierra Club wants you to live up to your promise of full, open and public consultations on nuclear power. Will you put your Ontario Power Authority supply mix report to a full, formal environmental assessment, which Elizabeth May is asking you to do?

Hon. Mrs. Cansfield: I find it absolutely amazing, and maybe just a tad amusing, that the individual who comes out in such strong favour of this consultation in fact cancelled all consultation on the Ontario Hydro 25-year supply plan, cancelled all of the conservation initiatives and cancelled Conawapa, and doesn't like wind, doesn't like hydroelectric and doesn't like nuclear.

The fact of the matter is that the one advantage we have in this wonderful province is that people are open and able to give their opinion from a wide range of perspectives. Certainly I heard that last night. It was refreshing to hear people who wanted to speak about renewable energy and conservation and photovoltaics and what they could do as individuals to make a difference. Finally, people were talking about the need for transmission to bring all that wind and run-of-the-river that's in the north down to where the power is needed for our factories. I thought it was one of the best evenings I've spent, and I am looking forward to participating in many more.

Mr. Hampton: The only wind we're getting is the wind from the Minister of Energy. This is what Dave Martin from Greenpeace calls your nuclear meetings: "totally inadequate." Dan McDermott from the Sierra Club calls them "a sham," and Kim Fry from the Toronto Environmental Alliance calls them "a disgrace." And that was before they learned that the fix was already in.

Premier, your \$40-billion nuclear boondoggle has huge economic and environmental risks. Will you keep your promise? Will you put your Ontario Power Authority supply mix report to a full, formal environmental assessment, which environmental groups and people across Ontario are asking you to do? Will you keep your promise, Premier?

Hon. Mrs. Cansfield: You know what I will do? I'll keep the promise to keep the lights on in Ontario, leadership that's been lacking in the energy sector for a long period of time. It's really quite—

Interjections.

The Speaker: We'll wait.
Minister?

Hon. Mrs. Cansfield: I reiterate: It's our responsibility to take leadership and keep the lights on for the people of Ontario, and it is leadership that we take responsibly. We use their money prudently because we said we would. We will maximize our existing assets both in generation and transmission. We will build new generation, 10,000 megawatts of which is under way. We will put in place a culture of conservation, and we have put that in place as well.

I can appreciate that someone who neglected those before may not be pleased to hear about them now, but the difference is that in the future the lights will remain on. There will be electricity for our industries, and the people of Ontario will have a strategy in place that will make a difference for them as they plan their future, be it in their individual lives or in their business plans. They can rely on affordable, clean energy for the people of the province of Ontario.

FREEDOM OF INFORMATION

Mr. John Tory (Leader of the Opposition): Again to the Premier: Yesterday you made reference in the list of accountability measures you claim to have taken that freedom of information has been improved. I wonder, if that's true, if you could explain to us why, under the freedom of information regime of your government, it took us over seven months to receive the transportation minister's cellphone bills and schedule for the time surrounding his visits to his company. Maybe at the same time you could explain how it could be that, once received seven months later, the phone bills for the relevant period showed absolutely no incoming or outgoing phone calls, even though the evidence shows he did make phone calls during those periods. Perhaps you could explain those two things.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): We are more than pleased to talk about our record when it comes to accountability. I took the opportunity yesterday to outline some of those for the leader of the official opposition, whether we're talking about our new Fiscal Transparency and Accountability Act or whether we're talking about our ban on partisan government advertising, which cost taxpayers over \$100 million on the Conservative government watch. We brought in real-time disclosure for political donations, which we thought was a very important step forward. We brought the sunshine in over OPG and Hydro One, which would have been hidden from daylight by the Conservative government. When it comes to accountability measures, we are very proud of the steps we've taken so far, and we look forward to taking more.

1500

Mr. Tory: Whatever sunshine you claim to have let in, you've brought the curtain down on freedom of information. It's interesting, because it took seven months to

get the phone bills—well beyond the limits, well in excess of any appeal and extension periods. It took seven months to get the minister's schedule for the dates in question. It is very clear that on the day in question, this meeting, which we now know took place because it's in the Integrity Commissioner's findings and in the evidence, doesn't even appear on the schedule, which raises the issue of whether these are the real schedules that were produced under freedom of information.

Why is your government going out of its way in terms of time taken and these documents being produced that have no record of anything going on, and all the rest of what is there is blacked out? Why are you going out of your way to stonewall access to information on this? What is your government trying to cover up here?

Hon. Mr. McGuinty: We are more than pleased to comply with any requests that are brought forward and to adhere to the freedom of information legislation and anything that might flow from that. I know that the leader of the official opposition would be interested in a section on response rate compliance put out by the Office of the Information and Privacy Commissioner in their annual report. In talking about our first year of government, they said, "This marked a potential watershed in the compliance rates of provincial ministries responding to requests. Overall, provincial ministries had a compliance rate of 77.2%. This represents a remarkable turnaround from the compliance levels achieved in preceding years.... They reached a low point in 1996 when only 39% of requests were answered within thirty days."

I'm pleased and proud of what we've been doing, and we look forward to doing more.

OMERS PENSION FUND

Ms. Andrea Horwath (Hamilton East): My question is for the Premier. The tragedy of the OMERS bill, Bill 206, is that the bill is in fact fixable. In committee, the New Democratic Party tabled many amendments that would have solved the problem, but the Liberal members on the committee voted unanimously against those amendments. Premier, before it's too late, will you at least take another look at those amendments? Can you at least do that?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Municipal Affairs and Housing.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'd like to thank the member for the question. As she well knows, there were legislative hearings both after first reading and after second reading. The devolution of OMERS has been talked about for 10 years by three different governments. None of those governments was successful in doing it. We intend on doing it. We believe it's those people who pay into the plan, both from the employee and the employer viewpoint, who should have the say over the plan. That's what the devolution is all about. We intend to live up to that commitment. There have been enough discussions about

this, ongoing on a number of different levels. There's been an awful lot of consultation. There have been 13 days of legislative hearings. We really believe that the final result is a bill we can be proud of in the sense that the payers who are paying into the plan, both on the employer and the employee side, will have a say about governing the plan in the future.

Ms. Horwath: Back to the Premier: You're ignoring the stakeholders and now you're about to download labour unrest to the municipalities as a result. You don't want to reconsider the amendments that we tabled in committee that are going to solve the problem.

How about another solution? How about honouring some of your own promises that you put together in a letter to OMERS back on October 3, 2002? In that letter, you promised a dispute resolution similar to the teachers' plan. You also promised a single-based plan, with additional supplemental plans for all employees across the board. Those were your promises. Will you honour those promises now and save us all a whole lot of trouble in this province?

Hon. Mr. Gerretsen: We are honouring our commitments that were set out by the Premier and by this party when it ran in the election of 2003, and that is, to devolve the OMERS plan to those people who are paying into it, both from the employer and the employee viewpoint, and also to allow supplemental benefit plans for those emergency workers to be negotiated at the local level. That supplementary plan, whatever is negotiated at the local level, will not have any impact on the main plan. No one who currently has a pension is going to have their pension affected in any way whatsoever. The scaremongering that's been going on with respect to pensioners losing their pensions or somehow having their pensions reduced is totally incorrect and inaccurate. All pensions that are currently in effect will remain in effect and will not be affected at all by any changes being made in Bill 206.

CHILD CARE

Mrs. Maria Van Bommel (Lambton-Kent-Middlesex): My question is for the Minister of Children and Youth Services. I know that our government has been working very hard to deliver an early learning and child care agreement with the federal government on behalf of parents in Ontario who are looking for high-quality, licensed child care. In my own rural riding the demand for high-quality child care far outweighs the supply, and I know we have the same situation right across this province.

Prime Minister Harper has said that he plans to cancel these child care agreements, so it's no surprise that, since the election of the Conservative government in Ottawa, when I speak to parents in my riding, they tell me about how concerned they are for the future of these child care agreements. Minister, can you tell me what this child care agreement means for the constituents of my riding of Lambton-Kent-Middlesex?

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I want to thank my

colleague the member from Lambton–Kent–Middlesex. First, let me tell you what this agreement means to the people of Ontario. Across the province, we're talking about a commitment of \$1.9 billion over five years. In the first three years of the planning process here in Ontario, the objective is 25,000 new, regulated, high-quality early learning and child care spaces, because this is what parents have been telling us they need.

In relation to that particular area, I can give you some stats. The three municipalities of Lambton–Kent–Middlesex stand to lose, if this agreement is not allowed to continue, 1,975 spaces—\$88 million of investment in early learning and child care for the parents and children of Lambton–Kent–Middlesex.

Mrs. Van Bommel: Thank you, Minister. Obviously, there's a lot at stake for the constituents in my riding, as I'm sure there is right across this province for all parents. I know parents are counting on these agreements to provide high-quality child care for their families. Minister, what can we do, what can our communities do, what can parents do to make sure that the federal government understands the importance of this funding agreement?

Hon. Mrs. Chambers: I'm calling upon parents and specialists in this area to make public the concerns they have been raising with me, because the agreement that the government of Ontario executed was with the government of Canada. This is not a partisan agreement; this is something I'd like all members of this House to come together on for the people of Ontario. I'm asking the Leader of the Opposition and the leader of the third party to work with us. Work with us, because this is an expectation and a need expressed by parents in Ontario, parents represented by all of you here in this House. I ask the Leader of the Opposition and I ask the leader of the third party to stand with us, as the government of Ontario, on behalf of the people of Ontario, stand on behalf of parents and their children for whom we're trying to deliver the best start in life, because this—

The Speaker (Hon. Michael A. Brown): Thank you. New question.

MANUFACTURING SECTOR

Mr. Ted Chudleigh (Halton): My question is to the Premier. January was an especially cruel month in the manufacturing sector in Ontario. We lost a staggering 33,000 manufacturing jobs. That's over \$1,000 a day, Premier. The manufacturing sector is in crisis, and all of Ontario is suffering as a result.

On Thursday, December 8, in this very Legislature a motion was passed with the unanimous consent of this House. It requested of the government a comprehensive action plan to assist the communities that have been affected by this economic crisis. My question, Premier: Where is the action plan? On what day can we expect to receive the details of this plan?

1510

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Economic Development and Trade.

Hon. Joseph Cordiano (Minister of Economic Development and Trade): Let me just say that with respect to the loss of manufacturing jobs, there is no doubt that Ontario faces significant challenges, mostly attributable to the high dollar. In fact, many economists have pointed to that as the direct result of the job losses.

When you look at what Ontario is doing, we have on our part made a number of significant moves. The auto strategy we put in place has now secured almost \$6 billion worth of new investment. In addition to that is the advanced manufacturing investment strategy I announced in December, which is moving forward and, I'm happy to report, is oversubscribed already, and will lead to new investments. But as I say, with respect to the challenges that are being faced in this sector, the high dollar is the direct result of those job losses.

Mr. Chudleigh: The high dollar is one thing, but you've also increased taxes to these same companies. You've increased energy costs and electricity costs. You've driven up expenses to these industries. Among those industries, and this is just January, are B.F. Goodrich in Kitchener, Waterloo, 1,100 jobs gone; Ford Motor Co. in Windsor, closed, and in St. Thomas, down to 1,200 jobs; John Deere in Woodstock, closed, 325 jobs; Bowater, another shift gone, and Thunder Bay, laid off 280 people; Winpack Technologies in Toronto, laid off 250 people. The list goes on and on.

These people are from all across Ontario. You said you were going to bring in a plan for the communities that were hurt. I don't see that the dollar exchange is going to affect that. These communities are suffering. Where's the plan for these families and, in this massive list of companies that have laid off, whereabouts is the plan for these communities to help them through this desperate situation your government has put them in?

Hon. Mr. Cordiano: Do you know what? We have a real concern for the people who have lost their jobs in these communities that are affected. In fact, recently I met with the mayor of the city of Cornwall, and we put together an action plan for the city of Cornwall that does a number of things.

Let me go back to the question of the dollar. If you don't believe me that this is what's hurting manufacturing in Ontario, I'll quote from Doug Porter, deputy chief economist at BMO, who said, "There's no question that manufacturing is struggling and will continue to struggle. The dollar is the overwhelming story."

I would suggest that the member opposite should pick up the phone and call his federal cousins, who are the government today, and ask them what they're going to do to help Ontario's manufacturing base because, frankly, Ontario is doing a number of things.

Interjections.

Hon. Mr. Cordiano: Mr. Speaker, they're interrupting.

Interjections.

The Speaker (Hon. Michael A. Brown): Order. Minister?

Hon. Mr. Cordiano: I would suggest to the member that the federal government has to bring forward some

initiatives, just as we have done in this province. We have an investment strategy for manufacturing, we have an auto sector strategy, we have a forestry sector strategy, and we've capped electricity prices for large industrial users, a very comprehensive economic set of initiatives that are designed to help Ontario's manufacturing base. We need the federal government to assist Ontario, so pick up the phone, call your federal counterparts and ask them what they're going—

Mr. Peter Kormos (Niagara Centre): You pick up the phone.

Hon. Mr. Cordiano: I have. I have picked up—

The Speaker: Thank you. New question.

WASTE DIVERSION

Mr. Michael Prue (Beaches–East York): My question is for Minister of the Environment. The city of Toronto's garbage woes never seem to end. A great part of their problem is funding, or the lack thereof, for waste diversion. During the 2003 election, Liberals promised to divert 60% of the waste from Ontario landfills by 2008. To date, you and your predecessors have not filed a plan, and to date, you have made no progress reports. When can we expect them?

Hon. Laurel C. Broten (Minister of the Environment): I'm pleased to have an opportunity to speak to the issue that the city of Toronto is currently facing. As many in this Legislature may be aware, the city of Toronto is currently in contract renegotiation with their hauler that is transporting waste to the US. They have indicated to me that they do not expect significant waste transportation issues through the transition period from Wilson to Republic, which will be on April 1, 2006. I think it is important to highlight why this issue is in current discussion.

The city of Toronto, like all municipalities in this province, has been working diligently and working closely with my ministry to develop their alternative plans. We have all said that transporting waste to Michigan is not a long-term solution, and the member is quite right that additional diversion and increased diversion is a large part of that solution.

Mr. Prue: My question isn't about the transportation of waste, and yes, I'm aware of the dilemma of the city of Toronto. But in 2003, it was you and your government, or your government-in-waiting, and not the municipalities, that promised to divert 60% of the waste from landfills. You've failed to ban organic waste from landfills and to develop a recycling program for used oil, e-waste and tires. There's no plan. The only McGuinty government solution to the pending garbage crisis offered to date is to weaken environmental assessment rules. That's all you've done.

Toronto has ambitious waste diversion targets and plans, but needs some financial support. Is it your intention to continue with your do-nothing policy, or will you be providing funding so that Toronto can deal with this crisis?

Hon. Ms. Broten: I think it is imprudent of the member opposite to declare that there is a crisis in the city of Toronto. There is no crisis in the city of Toronto. There is a contract negotiation in place with respect to the waste hauler. So let's deal with those facts.

The city of Toronto is working hard on one of the best diversion strategies in the province. Each and every municipality across this province is putting forward plans. My ministry is meeting closely with those plans, focusing in particular on those municipalities that transport their waste to the US. We're encouraged by the progress they're making. We're working closely with municipalities such as the city of Toronto. There is nothing preventing any of those municipalities from coming forward with innovative and new technology, new solutions, as long as they're clean and do not take away from diversion.

With respect to the member's comments on the Environmental Assessment Act, I would put him on notice that the environment assessment process is not going to be weakened; it's going to be streamlined and efficient. A streamlined and efficient process does not mean a weak process. Communities across this province, environmental activists—all participants in the environmental assessment process—need to understand a process that takes place faster and quicker and more efficiently.

LOCAL HEALTH INTEGRATION NETWORKS

Mrs. Carol Mitchell (Huron–Bruce): My question is for the Minister of Health. I know that it's no surprise to you that the state of our health care system is front and centre in the minds of many Ontarians. Given this, it's also no surprise to you that our government is improving the health care system. It is the subject of regular conversations I have with my constituents in Huron–Bruce. You also know that the state of our health care system is one of the major reasons why Ontarians spoke resoundingly for change when our government was elected just over two years ago. It's clear that the policies and actions of the previous government left much to be desired for patients, and it's also clear that the status quo is not acceptable. That is why I am so excited, whenever I have the opportunity, to speak with you about how you are moving forward and how our government is bringing progress to our health care system that works for the patients.

Minister, can you tell me how the Local Health System Integration Act will benefit my constituents?

1520

Hon. George Smitherman (Minister of Health and Long-Term Care): It's a privilege to have a chance to answer the question of the hard-working and effective member from Huron–Bruce. Her passionate commitment to her constituents on matters of health care is very strenuous.

I think, at its heart, what we seek to do with local health integration networks is to make a significant trans-

fer of power; that is, to delegate the significant authorities that the Minister of Health has traditionally had the privilege of executing, on the basic premise that it's not appropriate to try to micromanage a \$33-billion operation from head office. So we're going to transfer those powers down to people closer to the action in local communities who are in a much better position to determine—in a circumstance where resources will always be more limited than we would prefer—which local priorities must be advanced first. We do this on the basis of a patient-centred health care where population health will drive the decisions made at the local level and where the patients once and for all will have a much easier time of being involved in a conversation about health care on a local basis.

Mrs. Mitchell: Thank you, Minister, and thank you so much for communicating. I know my constituents want to be part of a health care system that is delivered at a local level, and they want health care to be delivered in a way that responds to their needs.

I would like to ask you another question. I know that the legislation is currently being reviewed by the standing committee on social policy. Can you tell me what we can expect of this process?

Hon. Mr. Smitherman: We know that the members of that committee have been working very hard, through what I believe have been seven or eight days of public hearings, on the detail of amendments and the like. I just want to thank them for their efforts. Each and every bill that I've had the privilege of bringing into this Legislature, save one where there was unanimous consent and agreement for it, went out to committee and has been enhanced through the work of those committee members. They're in that phase right now, and I want to thank them.

Generally speaking, the government has tabled amendments to further enhance principles of community engagement and due process related to any prospective integration decision. Amendments to guarantee the role, at both the provincial and local levels, for aboriginal and francophone groups to make sure they have all the influence that's necessary around local planning are the nature of amendments that our government has brought forward, in addition to enshrining the principles of the Canada Health Act and the Commitment to the Future of Medicare Act. We believe that the advice and direction that has been offered by a variety of people commenting during the process has enabled us to make a better bill, and we're looking forward to that bill having the opportunity to come back for further debate here in this chamber.

FOREST INDUSTRY

Mr. Norm Miller (Parry Sound–Muskoka): My question is for the Minister of Natural Resources. Where is the Minister of Natural Resources?

Interjection: He's here.

Mr. Miller: Okay, good. I'll wait for the minister to take his seat.

Minister, the situation in the forestry sector has gone from bad to worse in recent months under your government's watch. Every week another mill closes or layoffs are announced. The Bowater kraft mill in Thunder Bay, putting another 280 people out of work, is a recent example.

Two weeks ago, I was in Timmins for pre-budget consultations. The Ontario Forest Industry Association started out their presentation by emphasizing that the sector is in a crisis. As I sat there listening to the OFI presentation, I received an e-mail from a forestry company in my riding. It began, "Dear Mr. Miller: Our industry is in a crisis. What will it take for someone to notice?" Minister, when are you going to get serious about the crisis in the forestry industry?

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): First of all, I will say to the member, we admit there is a crisis in the forest products industry. In fact, I saw that coming about two years ago, and I brought the industry, the workers, the municipalities and the First Nations together to give me advice as to how to handle that oncoming crisis, as we saw it coming. I got that report, and we have responded almost fully to that report.

I've been working with the Premier and the cabinet to do even more. The Premier has indicated to the public that we are going to be doing more for the forest industry. We work every day with that industry to make sure that we don't lose any more jobs, that we encourage further investment in the future so that we can sustain this industry for all of this province.

Mr. Miller: Minister, even your own members say your response has not been adequate. The member from Thunder Bay–Superior North said, "The \$350 million in loan guarantees offered by the McGuinty government in June have not been well received by industry because it would do nothing to reduce day-to-day costs."

I'd like to continue with the letter from my recipient, which exemplifies that point. It goes on:

"My husband and I operate a small forestry company in Huntsville, Ontario.

"We have had concerns for a while now and as these concerns become reality, we wonder what is going to happen in an industry that is largely being ignored....

"Fuel and insurance costs, equipment repair costs are a daily struggle and affect the bottom line of both big and small companies....

"And it is not only the mills that are suffering, because every mill that closes its doors takes with it not only their employees but also logging and trucking companies and all their associated employees and subcontractors. As one of Canada's largest industrial employers, why are we being largely ignored?"

Minister, why do you continue to ignore the cries for help from forestry operations, large and small?

Hon. Mr. Ramsay: Respectfully, I say to the member, I don't think the \$680 million is ignoring the cry to help. We have a tremendous cash infusion for this industry and, in fact, we have 18 proposals now before our com-

petitive secretariat that, if they were to go ahead to completion, would lever \$680 million of projects—investment in a very vital industry across this province, but especially northern Ontario. I am very confident that most, if not all, of those projects are going to go ahead. We're starting to turn a corner in this industry. I think, with the announcements that are going to come in the next few weeks, the member is going to see that. I ask the member to work together with us to make sure that we have a bright future in Ontario for our forestry industry.

AGRICULTURE INDUSTRY

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Again, farmers from across the province have been forced to protest your government's failure to help farm families deal with the serious financial losses suffered in 2005 and your failure to announce a long-term plan to end the farm income crisis. Today, some banks are cutting off farmers' credit because of poor commodity prices last year. Meanwhile, farmers need financial help today if they're going to get their crop in the ground this spring. Premier, instead of wasting time on more photo ops, instead of blaming Ottawa, will your government act today, level the playing field and provide farmers with the \$370 million in provincial funding that they need to stay in business?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I welcome the question and I want to report to the House that we held our very successful second annual agriculture summit last week. The important dimension related to that summit is that it requires that we work together to look at how we can strengthen the agrifood sector over the next five, 10, 15 and 20 years. But in addition to that, after the summit I had the opportunity to meet with a number of representatives from the farm groups to talk specifically about the kinds of assistance that the leader of the NDP raises with me today. As a result of that, I spoke with Prime Minister Harper and asked if we might not immediately arrange a meeting between his agriculture minister and mine, and that meeting in fact is happening as we speak. I look forward to saying more about that in supplementary.

Mr. Hampton: Well, I spoke with some of those farmers who said they've been to lots of meetings with their government; what they want is an end to the meetings and some action. These people are on the verge of losing their farms and losing their families' livelihood. They're being faced with higher energy prices, including your sky-high electricity rates. This year alone, they're facing an additional \$300 million in costs. They need action, they need financial support now and they need to see a strategy that will return to them their costs of production. When are they going to see action, Premier, rather than more meetings and more photo ops from your government?

Hon. Mr. McGuinty: To follow up a little bit more in terms of that conversation, what I said to the Prime Minister was that we are prepared to bring money to the

table as soon as possible. What I would like to do is, if he would come to the table with some money, we could make the assistance that we could provide our farmers with much more meaningful. That is the subject matter of the meeting being held this very day.

Now, to that end, I will ask Mr. Tory in his capacity as leader of the official opposition if he might implore his colleagues in the Conservative government on Parliament Hill as well to understand the urgency of the situation here for our farmers in Ontario. I am saying again, we are prepared to bring money to the table. But what I'd like to do, and the commitment I made to Ontario farmers, is that we want to make that assistance more meaningful by ensuring that we have a federal partner there at the same time. That's the purpose of the meeting that's taking place right now.

1530

OMERS PENSION FUND

Mrs. Liz Sandals (Guelph–Wellington): My question is to the Minister of Municipal Affairs and Housing. My office has received calls from CUPE members wondering about how Bill 206, the Ontario Municipal Employees Retirement System Act, would apply to them. They are concerned about their pension plan. They want to know if they can enjoy their retirement years. Since those individuals are not firefighters, they're not paramedics and they're not police, they are concerned about the stories they are hearing and who is paying for what. They are hearing stories that they are paying for firefighter pensions. They are hearing stories that police will get a better pension at CUPE members' expense.

Minister, will you stand today and clarify for CUPE members in my constituency, who seem to be subject to a lot of misinformation as to who actually pays for supplemental plans?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Once again, Bill 206 does not increase pension contributions for anyone. As a matter of fact, all it does is give local bargaining to employers and employees to bargain for supplementary benefit plans for our emergency workers; namely, police, fire and paramedics. Anything that is negotiated locally along those lines is being paid on a 50-50 basis between employer and employees and does not in any way affect the main plan.

Pensioners currently receiving a pension from OMERS: It should be noted that their pensions are not in any way, shape or form affected by Bill 206. They will continue to receive their pensions, and their pensions are not in any danger whatsoever.

Again, the supplemental plan that has been the main subject of the Bill 206 discussion is completely separate and apart from the main plan and does not affect the main plan under OMERS.

Mrs. Sandals: That's good news for the constituents in my riding who are retirees and also for those who are CUPE members and are concerned that somehow they're losing, which is absolutely not true.

But I've also been hearing from municipalities in my riding. Municipal officials have been concerned that somehow their taxes will be going up because of this bill. They've published some numbers and claim that, as a result of our bill, local citizens will be facing higher property taxes this year.

I have heard you on numerous occasions in this House speak to our government's actions to ensure strong communities in Ontario and our co-operation with municipalities. But could you please assure our municipal partners that Bill 206 will not result in an immediate massive increase to property taxes?

Hon. Mr. Gerretsen: Let me also suggest to those individuals who are interested in this Bill 206 issue to go to the ministry website, where there is a factual sheet as to exactly what Bill 206 provides.

With respect to the claim by AMO that this will produce massive tax increases, let me just say that any supplementary plan will take at least two years to come into existence. Any new benefit can be negotiated only on a once-every-three-years basis, and the kinds of tax increases that AMO is talking about are simply not accurate.

Again, any supplementary plan is for those emergency workers who are at greater risk in the protection of our communities and our lives on a day-to-day basis. That's why we're granting them the right to negotiate supplementary benefit plans at the local level.

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I would like to seek unanimous consent to move a motion respecting the business of the House this afternoon and this evening.

The Speaker (Hon. Michael A. Brown): Agreed? Agreed.

Hon. Mr. Bradley: I move that, notwithstanding any standing order or the order of the House earlier today, this afternoon's debate on the motion for second reading of Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2005, shall be deemed adjourned at 6 o'clock and the debate considered to be one full sessional day; and further

That the House sit beyond 6 o'clock for the purpose of completing consideration of the motion for third reading of Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access, following which the Speaker shall adjourn the House until Wednesday, February 15, 2006, at 1:30 p.m.

The Speaker: Mr. Bradley moves that, notwithstanding any standing order—

Hon. Mr. Bradley: Dispense.

The Speaker: Dispense? Dispense.

All those in favour? All those opposed? The motion is carried.

PETITIONS

CANCER TREATMENT

Mr. Frank Klees (Oak Ridges): I have a petition to the Parliament of Ontario. It reads as follows:

"Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

"Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

"Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients, with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

"Whereas cancer patients have the right to the most effective care recommended by their doctors;

"We, the undersigned, petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients."

I will apply my signature to this petition, and I will ask page Michael Bourgeois from Ballantrae to come forward to present this petition to the table.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Howard Hampton (Kenora-Rainy River): I have a petition to the Legislative Assembly of Ontario.

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability

continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

This has been signed by several residents of the town of Fort Frances on behalf of Community Living Fort Frances and District. I have affixed my signature as well.

1540

CANCER TREATMENT

Mr. Tony Ruprecht (Davenport): I have a petition addressed to the Parliament of Ontario, and it reads as follows:

“Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

“Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

“Whereas this is an inequitable” situation, “creating two classes of cancer patients, with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

“Whereas cancer patients have the right to the most effective care recommended by their doctors;

“We, the undersigned, petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients.”

Thank you very much.

OMERS PENSION FUND

Mr. Norm Miller (Parry Sound–Muskoka): I have a petition from CUPE Local 1457, and it says:

“To the Legislative Assembly of Ontario:

“Whereas CUPE Local 1457 is concerned by the Liberal government’s legislation, Bill 206, Ontario Municipal Employees Retirement System Act, 2005; and

“Whereas Bill 206 contains a multitude of changes that will cripple OMERS’ ability to manage its \$40-billion pension assets; and

“Whereas Bill 206 makes no provision for oversight of pension funds or accountability; and

“Whereas Bill 206 changes the rules on resolving differences among sponsors, making it harder for CUPE to find a way to improve and protect pensions; and

“Whereas Bill 206 discriminates against women and lower-paid members while providing for special consideration for police and firefighters;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty government abandon passage of Bill 206.”

GO TRANSIT TUNNEL

Mr. Tony Ruprecht (Davenport): I have a petition addressed “To the Parliament of Ontario, the minister of infrastructure services and the Minister of Transportation,” which reads as follows:

“Whereas GO Transit is presently planning to tunnel an area just south of St. Clair Avenue West and west of Old Weston Road, making it easier for GO trains to pass a major rail crossing;

“Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair Avenue-Old Weston Road bridge;

“Whereas this bridge (underpass) will be: (1) too narrow for the planned TTC right-of-way, since it will leave only one lane for traffic; (2) it is not safe for pedestrians (it’s about 50 metres long). It’s dark and slopes on both east and west sides, creating high banks for 300 metres; and (3) it creates a divide, a no man’s land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

“Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West, thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow.”

Since this is such a great petition, I am very happy to sign it as well.

MACULAR DEGENERATION

Mr. Garfield Dunlop (Simcoe North): I want to thank Dr. Timothy Hillson, an ophthalmologist in my riding, for helping with this petition.

“Whereas age-related macular degeneration is the leading cause of blindness in the elderly and is present in some form in 25% to 33% of seniors over the age of 75. AMD has two forms: the more common “dry” type and the “wet” type. Although the wet type occurs in only 15% of AMD patients, these patients account for 90% of the legal blindness that occurs with AMD. The wet type is further subdivided into classic and occult subtypes, based on the appearance of the AMD on special testing. Photodynamic therapy, a treatment where abnormal blood vessels are closed with a laser-activated chemical, has been shown to slow the progression of vision loss in both types of wet AMD;

“Whereas OHIP has not extended coverage for photodynamic therapy to the occult subtype of wet AMD, despite there being substantial clinical evidence demonstrating the effectiveness of this treatment in patients with either form of wet AMD. Untreated, these

patients can expect a progression in their visual loss, with central blindness as the end result;

"Whereas affected patients are in a position where a proven treatment is available to help preserve their vision, but this treatment can only be accessed at their own personal expense. Treatment costs are between \$12,500 and \$18,000 over an 18-month period. Many patients resign themselves to a continued worsening of their vision, as for them the treatment is financially unobtainable. The resultant blindness in these patients manifests itself as costs to society in other forms, such as an increased need for home care, missed time from work for family members providing care, and an increased rate of injuries such as hip fractures that can be directly attributable to their poor vision.

"We, the undersigned, petition the Legislative Assembly of Ontario to fund the treatment of the occult sub-type of macular degeneration with photodynamic therapy for all patients awaiting this service."

I'm pleased to sign my name to this petition.

Mr. Bob Delaney (Mississauga West): I'm pleased to join with my colleague from Niagara Falls and, it would seem, my colleague from Simcoe North in this petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration," which is wet, "and there are other forms of macular degeneration," such as dry, "that are not covered,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most constituents and add a financial burden to their lives. Their only alternative is loss of sight. We believe that the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program."

I affix my signature to this petition and I ask page Yasmeen to carry it for me.

AUTISM TREATMENT

Mrs. Julia Munro (York North): "To the Legislative Assembly of Ontario:

"Whereas children with autism who have reached the age of six years are no longer being discharged from their preschool autism program; and

"Whereas these children should be getting the best special education possible in the form of ABA within the school system; and

"Whereas there are approximately 700 preschool children with autism across Ontario who are required to wait indefinitely for placement in the program, and there are also countless school-age children who are not receiving the support they require in the school system; and

"Whereas this situation has an impact on the families, extended families and friends of all of these children; and

"Whereas, as stated on the website for the Ministry of Children and Youth Services, 'IBI can make a significant difference in the life of a child with autism. Its objective is to decrease the frequency of challenging behaviours, build social skills and promote language development';

"We, the undersigned, petition the Legislative Assembly of Ontario to fund the treatment of IBI for all pre-school children awaiting services. We also petition the Legislature of Ontario to fund an education program in the form of ABA in the school system."

CURRICULUM

Mr. Norm Miller (Parry Sound-Muskoka): I have a petition to do with education. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of Education plans to remove the study of derivatives from the grade 12 mathematics curriculum; and

"Whereas the grade 12 university preparation course Advanced Functions and Introductory Calculus is designed for students intending to study university programs that will involve calculus; and

"Whereas the course currently provides an introduction to the fundamental concepts of calculus, which are also required in grade 12 physics; and

"Whereas it contains three strands: advanced functions, in which students explore the properties and applications of polynomial, exponential and logarithmic functions, underlying concepts of calculus, in which students develop an understanding of the basic concepts of calculus by analyzing the rates of change involved in applications; and derivatives and applications, in which students develop, consolidate and apply to graphing and problem-solving the rules and properties of differentiation; and

"Whereas all of these strands are requirements for most university programs, and to remove any of them from the high school curriculum will leave the students of Ontario at a disadvantage when compared to the students from other provinces;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ensure that the Ministry of Education continues to retain all parts of the current grade 12 mathematics curriculum and stop making changes that put the future careers of Ontario students at risk."

That comes to me from students from my riding.

1550

FIREARMS SAFETY

Mr. Norm Miller (Parry Sound-Muskoka): I have a petition, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas the practical examination for the handling of firearms is a valuable component of the hunter safety course; and

"Whereas hunters and safety instructors have grave concerns about the removal of the practical examination for handling firearms;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the practical examination of the handling of firearms continues to form part of the hunter education safety course for Ontarians."

CURRICULUM

Mr. Norm Miller (Parry Sound–Muskoka): I have a petition to do with education from students in my riding of Parry Sound–Muskoka, which says:

"To the Legislative Assembly of Ontario:

"Whereas the current Ministry of Education of Ontario has prepared a secondary school curriculum completely devoid of the topic of calculus to be implemented in September 2006;

"Whereas the changes to the curriculum have been presented to educators only after October 2005, and not yet to the general public;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ensure that the total removal of calculus from the Ontario secondary school curriculum be delayed until at least September 2008, so that the change may be openly and thoughtfully considered."

That's from students from my riding.

ORDERS OF THE DAY

ACCESS TO JUSTICE ACT, 2006

LOI DE 2006 SUR L'ACCÈS À LA JUSTICE

Resuming the debate adjourned on February 13, 2006, on the motion for second reading of Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2006 / *Projet de loi 14, Loi visant à promouvoir l'accès à la justice en modifiant ou abrogeant diverses lois et en édictant la Loi de 2006 sur la législation.*

The Deputy Speaker (Mr. Bruce Crozier): The member for Niagara Centre.

Mr. Peter Kormos (Niagara Centre): I started these comments yesterday evening, and I've got the opportunity now to wrap them up. It's unfortunate that the House wouldn't accommodate me by sitting an extra half-hour. It's just strange. Sometimes you get the impression that these people just don't want to work. I was eager—

Interjections.

Mr. Kormos: Look, I was eager to finish my limited one hour in leadoff comments on this bill but other folks wanted to go home. Far be it for me to tell people that they've got to maybe work an extra half-hour later on any given day.

Just a brief recap of what we covered: The New Democratic Party acknowledged the incredible contribution of Sheena Weir from the Law Society of Upper Canada to the formulation and development of, finally, legislation that will be the framework for the regulation of paralegals. We are very grateful to her and we compliment her. She's an incredibly talented, skilled person, and she played a major role in getting this onto the front burner.

We talked in the chamber, during the course of my comments, about schedule E, and that is the section that would, incredibly, permit the crown, the prosecutor, to tender evidence against an accused in a provincial offences case over the telephone, by video conferencing. It quite frankly is repugnant to any fair-minded person and is an incredible affront to the presumption of innocence, which certainly is a foundation of our justice system and a very valuable one that we should treasure. I indicated, on behalf of New Democrats, our preference that schedule E simply be—the Attorney General should stand up and simply say that it's gone, it's severed, it's not a part of the legislation.

On finally dealing with the provisions in schedule B that deal with the reform of the justices of the peace appointment: We agree with the general proposition. Once again, it's something that has got to go to committee for some thorough, significant and extensive review, because there are a number of interesting things here. One is the eligibility standards for people to be appointed. In days gone by, and quite frankly up to the present, the eligibility standard for becoming a justice of the peace is belonging to the right political party and having made enough financial contributions to that party in power. Well, please, Mr. Delaney, it was surely one of the last bastions of the crassest patronage.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): My opponent got a nice position.

Mr. Kormos: As Mr. Bradley indicates—you're now on the record, I having responded to your interjection, sir. I don't know whether Mr. Bradley is suggesting that the appointment of his opponent—look, you beat him, for Pete's sake. Don't begrudge him a role on the bench. Quite frankly, I want to tell you that His Worship Tom Froese has acquired an exceptional reputation in Niagara for his performance as a justice of the peace.

Look, patronage without merit is a blot on a democratic system. Patronage with merit is still patronage, but somewhat more understandable. In the case of Tom Froese, I'll readily state that there was merit attached to what may well have been a patronage appointment.

I indicated that Tom Froese is one of the good ones. I talked about people who impressed me a great deal, people like Tony Argentino, now passed away; people like Gabe Tisi, an outstanding bilingual justice of the peace who provided French-language services; and Morley Kitchen, I would say a truly superb justice of the peace. Remember old Inspector Bill Wright in Welland—Crowland, as a matter of fact, more appro-

privately. Inspector Bill Wright was one of the first JPs I had to work with as a very young law student and then lawyer.

There is an interesting provision—I started to tell you yesterday about a very valuable package I received from Enam Bukhari, a lawyer in St. Catharines. Mr. Bukhari some years ago suffered some very serious health problems that have left him on a respirator and with severe disabilities. It was after undergoing that experience and becoming disabled, if that's not unfair, that Mr. Bukhari acquired his master of law degree from Osgoode law school. He has maintained a practice in the city of St. Catharines and has a strong and stellar reputation.

He wrote to me with a lot of supporting data about the matter of access by persons with disability—please, Mr. Parliamentary Assistant, if you'll bear with me for just a couple of seconds—to judicial positions. What's interesting is that in your schedule B of Bill 14, you talk about, in what will become section 5.2 of your act:

“(1) A justice of the peace who believes that he or she is unable, because of a disability, to perform the essential duties of the office unless his or her needs are accommodated may apply to the review council for an order under subsection (2).

“(2) If the review council finds that the justice of the peace is unable, because of a disability, to perform the ... duties,” etc., they can then order the necessary supports, subject to cost restraints, which I find a regrettable thing, and we'll be dealing with that in committee.

So there's consideration—I applaud the authors of the legislation, the drafters, for including consideration of a justice of the peace, a judicial official, who becomes disabled or acquires a disability, because that assumes after their appointment, but there's nothing in this legislation that addresses the very legitimate concerns of lawyer Enam Bukhari when he talks about the need for there to be accommodation of persons with disabilities when it comes to appointment to judicial positions. In fact, among the items that he sent me was a summary of appointments over a period of, oh, several years—he's dealing here with appointments to the provincial judge bench, but appointments of representative groups for the period from 1989 through to 1998, persons with disabilities, year after year after year: zero, zero, zero.

So I'm looking forward to committee with respect to this bill, because just as there's a provision to accommodate justices of the peace who acquire disabilities after their appointment, I put to you, sir, that there should be provisions to accommodate applicants for the position who would otherwise be deemed qualified or highly qualified for the purpose of consideration by the Attorney General: persons with disabilities. I want to thank Enam Bukhari, a lawyer from St. Catharines, for the material he put together and presented to me.

1600

We've got to move quickly now. I found most interesting being reminded, back in schedule A—because to wrap up I've got to move to the paralegal regulation, if I may. Part V of the new Courts of Justice Act, section 71,

will read, should this bill pass, “The administration of the courts shall be carried on so as to....

“(b) encourage public access to the courts and public confidence in the administration of justice;

“(c) further the provision of high-quality services to the public; and

“(d) promote the efficient use of public resources.”

You call this bill the Access to Justice Act. Let me tell you about a young couple, let's say, in Fenwick, Ontario, for example, who buy their matrimonial home and who have a lawyer representing them. When their neighbours on the adjoining property decide to dig a pool, the contractor with the shovel digging the pool smells petroleum and oil products as he digs through the earth. Neighbour speaks to neighbour, and that neighbour recalls, “Yes, quite right; the lawyer who did the title search identified any number of petroleum companies as having been previous owners of this property, but that lawyer assured us that that, in and of itself, wasn't problematic.”

Mr. Richard Patten (Ottawa Centre): They were drilling for oil.

Mr. Kormos: What happened is that service stations and oil and gasoline storage were on this property when it was a very rural property.

Bear with me. A young couple, hardworking folks, their largest single acquisition, their family home down in Fenwick, discover, after the fact, that they're living on property that is contaminated with gasoline and oil. They do the right thing. In a civilized society, you litigate; you sue. They hired a lawyer. They issued a statement of claim, and in fact they gave me a copy of the statement of claim. They're on their third law firm now. Mr. Parliamentary Assistant, you would know a great deal about this. The statement of claim has been issued. They're not even at discoveries. The litigation is against a number of oil companies, the previous owners of the property and, of course, the lawyer. Why not? Think about it. Who are you supposed to trust? But they're all defending like mad. The lawyer has got the errors and omissions insurance defending him, doesn't he, Mr. Parliamentary Assistant? The lawyer doesn't have to reach into his pocket to pay for a lawyer and retain counsel. The oil company has got all of our pockets to reach into to defend themselves, and the previous owner has to hire counsel too.

So here's a young couple in this incredible dilemma. Think about how heartbreaking that would be, right? They want to have children, but they don't want to think of having children when they're in this home. And the house is worthless now because it has been revealed—they can't sell it now denying any knowledge of contaminated soil, can they? So in 2001 the statement of claim was issued; no discoveries yet. Legal fees to date, for these homeowners alone: \$35,000. I became aware when they came into the office in this incredible crisis. Here they are, \$35,000 into this litigation, with good lawyers that they've retained now, but with the prospect of a whole lot more to spend, and defendants who have deep pockets, especially the two oil companies, and the errors and omissions insurance.

I'm not criticizing the lawyers. Look, skilled lawyers, with well-staffed offices and the resources you need to run a good law firm, cost money. You've got to pay for the support staff; you've got to pay for the research; you've got to pay for all this stuff. You need expert evidence prepared and accumulated.

Here's a young couple, \$35,000 in legal fees to date—not even into discoveries. So, Mr. Parliamentary Assistant, you and I both know that this bill does nothing to enhance access to justice for victims like this young couple, does it? It's naive to suggest that it does.

That takes us into paralegals, because the real debate should be bona fide access to justice. Matrimonial litigation: Couples who are trying, in a structured way, in the court system, to resolve all the differences that arise when there's a marriage breakdown. You and I both know full well—because we've had these folks in our constituency offices, heartbroken—the legal fees are \$40,000, \$50,000, \$60,000, \$70,000, \$80,000, \$90,000; it's not at all unusual. Protracted litigation—years and years and years.

Look, I'm not suggesting you solve the problem by letting non-lawyers do family litigation; I'm not suggesting that at all. I don't think anybody here in this room would argue that; I don't think people in the paralegal community would argue that. One of the things I think we have to understand is that things like family litigation are so complex and so technical that you need—or at least, in the best of all worlds, all parties would have—competent, experienced legal counsel with specialization in that area.

Let's talk about the paralegal framework. You know that there is incredible concern—Look, this has got to go to committee. One of the things that really bothered me was that the scope of practice wasn't discussed in the legislation—was it, Mr. Zimmer? The scope of practice isn't considered at all, even though scope of practice was very much the consideration of any number of public reports here in the province of Ontario about regulation of paralegals.

As well, the broad definition of "practice of law" has caused great concern to any number of professions. I'm talking about schedule C—it's the paralegal regulatory framework—in particular part o.i: "...a person provides legal services if the person engages in conduct that involves the application of legal principles and legal judgment...."

"(6) Without limiting the generality of" that subsection, "a person provides legal services if the person does any of the following...."

"2. Selects, drafts, completes or revises,

"i. a document that affects a person's interests in or rights to or in real or personal property...."

That's why Steven Offer wrote the letter to any number of us on behalf of a coalition of organizations, saying, "Hey, real estate agents do this all the time. They draft contracts." You understand what I'm saying, Mr. Marchese? But we certainly don't want them prosecuted for engaging in the practice.

The folks down at David Chev-Olds—wonderful people like Cathy Robertson, who sold me every car that I've owned for the last 30 years; a wonderful salesperson. This woman—look, I trust her absolutely. But she prepares offers to purchase; she prepares contracts all the time. I tell you, the mediation community—mediators—are incredibly concerned about the impact of this particular section. As well, we've gotten—I hope all of you have gotten—a letter from Jim Flood of the Ontario Real Estate Association. What I've assured these people—and I wish there were more time—is that this bill will indeed go to committee, and that their concerns about the very broad definition of what constitutes the practice of law will be addressed.

1610

I have concerns about workers' advocates from the Office of the Worker Adviser, who do excellent work. I have concerns about trade unions who, as part of their trade union responsibilities, advocate for their membership in front of tribunals like WSIB, workers' comp, or EI, unemployment insurance. I quite frankly have concern for any number of our staff in our constituency offices who do some of the same advocacy for our constituents. They are well-trained, skilled and talented, but I put to you that it was never the intention of anybody who advocated paralegal reform to have these people forced into a paralegal regulatory regime.

So New Democrats are going to pursue this bill into committee and actively involve ourselves in what should be extensive, broad-based and thorough committee hearings in the province of Ontario.

The Deputy Speaker: Questions and comments?

Mr. Bob Delaney (Mississauga West): It's always a creative and rhetorical challenge to follow the member from Niagara Centre.

The member's agreement that the government of Ontario needed to reform the process by which justices of the peace are selected is certainly welcome, and we concur with the member from Niagara Centre. The status quo that our government inherited when we were elected was clearly unacceptable. To the obvious astonishment of the member for Niagara Centre, I'm not going to blame either him or his party. I'm not even going to point a finger at the former government.

Bill 14 may not be a gripping read, at 176 pages of often dense legal text, but it is a necessary bill. In addition to making long-overdue revisions such as setting out qualifications for the men and women who administer justice to the population as justices of the peace, it makes many more revisions in the administration of the courts. The bill amends the rules of the courts, the bill amends rules dealing with damages in medical malpractice and, finally, the bill makes many technical and other miscellaneous amendments.

Let's go back to justices of the peace. Over the years, justices of the peace were appointed at the pleasure of the executive council of the prevailing government. Many fine people have served their province, their communities and the cause of justice in Ontario as justices of the

peace, and perhaps others may have had less-than-stellar qualifications or track records.

If you had just taken over the responsibilities of a senior executive, such as the Attorney General did two years ago, what you would do is a thorough house-cleaning. In the case of justices of the peace, you'd say, "Let's get together a proper job description, a set of consistent criteria and a fair and impartial selection process." That's good management. That's what Bill 14 does, and that's why it deserves passage.

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to add some comments on the member from Niagara Centre's hour-long leadoff speech on Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2005.

What is clear is that we have a problem with access to justice because we don't have enough justices of the peace in the province of Ontario and the government has been lax in not getting enough new justices of the peace into the system, so we're seeing a backlog in the courts.

Now, the member from Niagara Centre is a lawyer, and the question I would ask is, what are the qualifications required to be a justice of the peace? I was speaking to the member from Lanark–Carleton last night, who is also a lawyer. He suggested that being a lawyer shouldn't be a requirement to be a justice of the peace; it's more important to be a member of the community in good standing and to have a good knowledge base and some common sense. But it is important that the government get on the job and get some more justices of the peace in place so that we can deal with the backlog in the courts.

This is a thick bill; it's 176 pages long. I've stated previously that if the section to do with the regulation of paralegals was separated out, that could pass quite quickly. I think it is very important that this bill go to committee. As the member from Niagara Centre pointed out, there are many questions to do with scope of practice. I'm sure there will be lawyers who will want to make comment; I'm sure there will be paralegals and others in the community. So I think it's very important that it go out to committee and that there be lots of opportunity for the public to comment on Bill 14.

Mr. Rosario Marchese (Trinity–Spadina): I congratulate my colleague from Niagara Centre for his thorough review of this bill. There's much more he could and would say, had he more time. I congratulate him for the competence with which he tackles some of these issues, and his consistency as well.

He argues, how can people have access to justice when the Attorney General's budget has been flatlined rather than having an increase that would allow the public, generally speaking, to get the kind of access to justice that we're looking for? It's been flatlined. That speaks to the problem this ministry has, and so many other ministries which equally have been flatlined by this government for the last year or so and will continue to be flatlined for the next year and a half or two that this government has in power.

The member from Niagara Centre argues, as he did last night and as he always does, that this bill which calls itself "Access to Justice" does nothing to address the plague of plea bargaining that is taking place in our courts because crown attorneys are understaffed and under-resourced. He has for years maintained that position while the Tories were in power and while this government has been in power. While it is true that, from time to time, they drop a couple of bucks by way of trying to deal with this issue, the problem is that crown attorneys are understaffed and under-resourced. He argues as well, as he always has for many years, and continues to do under the Liberal government, that there is nothing in this bill to address court backlogs, which put our justice system at the risk of having serious criminal charges withdrawn on a daily basis. He will continue to say it, as he's done in the past, until this government listens to what he is putting forth.

Ms. Caroline Di Cocco (Sarnia–Lambton): I just want to convey to the members of the opposition and the third party that I believe it's been the practice of this government to send bills to committee for public input. I think that's extremely important and I know that the member from Niagara Centre will be glad to know that it is the practice of this government, which has every intention of sending this bill to committee for public hearings.

What will this bill, the Access to Justice Act, do? This legislation is about modernizing some aspects of the justice system, improving people's access to the justice system and providing greater openness and transparency. The member from Niagara Centre asks, "How?" One of the most important things you have to do in modernizing is, for instance, the amendments dealing with the justice of the peace system. It's a reform. The proposed reform to the justice of the peace system would ensure that there is a more open and transparent appointment process, and also establishes minimum qualification standards, ensuring the public's confidence that qualified candidates would be appointed. I think that's a huge step in the right direction when it comes to justices of the peace.

This also is about regulation of paralegals. Right now, there is very little regulating paralegals. The regulation of paralegals would, again, increase access to justice by giving consumers a choice in qualified legal services, while protecting people who get legal advice from non-lawyers.

The Deputy Speaker: The member for Niagara Centre has two minutes to reply.

Mr. Kormos: I appreciate the lecture, but there's still nothing that you've told us, ma'am, about this bill that's going to enhance access to justice. The fact is, people can go to paralegals now. We don't have regulated paralegals and people aren't assured of the standard of service that they're going to be provided. There's nothing in the bill that enhances access to justice. Please.

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But what I found most interesting—because we can reform the justice of the peace appointment process, but

what we've got to do is reform a government that is flatlining and reducing its budgetary commitment to the Ministry of the Attorney General. You can reform the JP appointment process, but how do you get the government to appoint an adequate number of justices of the peace to make sure that the services are being provided to make sure that the backlogs in those courts aren't resulting in Askov applications being granted left and right?

What I found remarkable is that during a series of questions from my colleague from Hamilton, Ms. Horwath, about JP shortages in her jurisdiction and similar questions from other members of this chamber, this Attorney General said, "Oh, I can't appoint more justices of the peace until we pass Bill 14." Hogwash, poppycock, bullfeathers. By God, it's not been since Charlie Harnick that this chamber has heard such things from an Attorney General. I've got a letter that the Attorney General himself wrote back on January 31, 2006, to the Municipal Law Departments Association of Ontario, which says, "I will continue to make justice of the peace appointments while this work with the court continues," that is to say, the work involving Bill 14. So, you see, the Attorney General very specifically contradicts what he said in this chamber. We were Harnicked, and I find that a most unpleasant experience. Let's have some candour and forthrightness in the course of this discussion, please.

The Deputy Speaker: Further debate?

Mr. Patten: The member from Niagara Centre always provides a degree of fervour, flower, enthusiasm and flair in his speech, in somewhat of a theatrical fashion, but I do wonder what he did with the money his mother gave him for his acting lessons.

However, he did make a few points. He said, "Where is access?" I know that it's part of the role of the opposition to always criticize and seldom acknowledge the strengths of a piece of legislation. Surely the member would appreciate that, with some modern forms of communications and activities in being able to provide statements to a court, which we already do in many instances—we provide closed-circuit opportunities for children so that children are not embarrassed or shy or exposed to being identified when they're not of age. We already use that kind of technology. The opportunity for people who may be disabled to speak through video conferencing, who, because of that disability or because of the distance and the costs it might require to make a statement for the court—surely the member would acknowledge that that provides access, more information. It's just one of the examples I wanted to identify as an attempt by a particular field—the justices in the courts, who are not the most rabid responders to radical change, and perhaps for good reason—to look at how we can be more transparent in our dealings and how we can provide for more ways in which people can participate in the experience, contributing to and having access to justice.

I think by this time that the member surely knows that indeed this bill will go forward to a committee. I have had a chance to review part of this, being a chair of one

of the cabinet committees. There's a fair amount of work in this. It touches on many aspects, in particular about five areas of amendment. From my point of view, having looked at this, it certainly tidies up and improves and places certain appointments on the basis of being judged on merit and not just on who someone may have known in the past related to the government of the day. For example, the selection of the justices of the peace, which heretofore had been on the basis of part-time responsibilities in different areas, was in some instances, I would say, pressing the point to an extreme, in seeing how some of the justices were in fact selected.

This will be more transparent. This will look at the background of people. This sets out criteria. It will provide justices on a full-time basis. There is a section, which of course the member from Niagara Centre will acknowledge, to provide opportunities for people who may have acquired disabilities during the course of their responsibilities. He says, though, that the legislation does not address encouraging or seeking those who may have disabilities as being eligible. I would humbly submit—because I know the member from Niagara Centre is a lawyer; I am not—that the Ontario Human Rights Code provides protection on the basis of not being able to discriminate on the basis of disabilities. Therefore, if there were a situation in which someone felt that was the case for those who may apply, it does not say that no one is eligible; it says, "those who are qualified." And if those who are qualified to serve in that particular position come forward, then it seems to me that they would be considered. That may have been part of the perception heretofore of both applicants and people in other areas.

Mr. Speaker, my time has run out. There are many, many aspects to this. But I will let the House know again that for sure this will be going to committee.

Mr. Kormos: Your time hasn't run out.

Mr. Patten: I'm sharing my time with some other members.

Thank you very much, Mr. Speaker.

The Deputy Speaker: Questions and comments?

Mr. Marchese: I thought he was sharing his time.

The Deputy Speaker: He's not. Nobody stood up.

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford): When Bill 14, the Access to Justice Act, came through, it came as quite a surprise. In my previous role as critic for the Attorney General, there had been a lot of discussion about these particular areas—justices of the peace, paralegals, different aspects of the legal system—but we never expected it to come in one complete bill. It was anticipated that it would be done in a much different format than what came out. Now, as it has come out this way, it has become much more problematic in terms of bringing about these major reforms with respect to not only access to justice but how justice is administered in this province.

I don't think the Attorney General has done himself any great benefit with respect to how he has brought this together, because there are problems with the administration of justice with respect to justices of the peace, and

the lack of them. Certainly, in my area of Barrie–Simcoe–Bradford and throughout Simcoe county, there is a shortage of justices of the peace.

I think it was commented on that the Attorney General said he wasn't going to make any more appointments of justices of the peace until Bill 14 came down. Well, he has, and he certainly hasn't been following the procedure in terms of what was envisioned by Ian Scott, who was the Attorney General who brought in the process with respect to the selection of provincial court judges in this province. Now we're dealing with justices of the peace, and the Attorney General used that transition time to plug a few of his cronies into these JP positions, which some people call the Senate of the Ontario Legislature. So the Attorney General has done what he wanted.

Mr. Kormos: In just around 25 minutes' time, Rosario Marchese, the member for Trinity–Spadina, is going to be speaking to Bill 14. He has an acute interest in the administration of justice. He has some serious concerns, as do all New Democrats, about the fact that this bill, which calls itself the Access to Justice Act, does nothing to enhance access to justice.

Look, when you've got family courts being run like sausage factories, when you've got litigants where the emotions run high, where there's been violence or the potential for violence or you have great fear on the part of one or another party, where you've got disputes over children, you've got them lined up—

Interjection.

Mr. Kormos: Mr. Gerretsen, don't say "Oh, come on." Visit some of those family courts anywhere in this province, whether you're in Toronto, whether you're in Brockville, whether you're down in Niagara. You see family court judges like Lloyd Budgell in Welland, down in Niagara, with dockets, page after page, trying to apply the law as best he, or in the case of many good women on the bench, she can—litigants sitting there, staring at each other across the hallway, ending up in the courtroom at 4:30 or 5:00 in the afternoon because the lists are so long and then the judge, because he's got staff to accommodate, court reporters etc., has to say, "We've got to adjourn this two more weeks, or you two people go out there and hammer out a deal."

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That's what is going on in our family courts. Go to some of our criminal courts. Go down to Mimico if you want to see sausage-factory justice: once again, provincial judges working with dockets, page after page after page, and bikers with the big tattoos and big biceps sitting side by side with the person who is going to be called as a witness against them, and then judges who can't handle the dockets and have to adjourn case after case. That's what this government had better start addressing.

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): There's no question that this is a large bill. I think in a lot of cases most people, when they see this sort of thing, are intimidated by it. That's the way a lot of people feel about the justice system as well.

They have certain expectations of us as legislators, that we will make sure their interests are protected. I think a lot of people would be very surprised to find out that there are no minimum requirements and qualifications for a justice of the peace. I think most people expect that there is some qualification, some consistency, across the province for the appointment of these people, because people rely very much on what justices of the peace bring to their communities, and that is access to justice.

Another thing that I find very interesting, and the member from Ottawa Centre brought it up, is the video conferencing and the use of electronic devices in order to allow witnesses to testify in communities and in courts. It's very important in rural and northern Ontario that we allow this kind of thing to happen. All too often we see small communities with a small police force, and the officer is required to testify in court farther away. That takes them out of their community. That means the community for a certain period of time has no police officer and no protection. We can't have that kind of administration of justice. Video conferencing means that police officers will be able to testify—without necessarily leaving their communities and having to travel long distances. That means all the officers in that community will be able to continue to do their jobs. That's very important for our people, and that is access to justice.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I'm pleased to comment briefly on Bill 14, An Act to promote access to justice. That's something I want to talk about. There are so many things we could be talking about: the lack of justices of the peace in my riding, the county of Renfrew, where the Attorney General has made no move to appoint much-needed justices of the peace, whereas other places have had appointments. Earlier in the fall, due to a sickness issue and a personal leave issue, one of the justices of the peace was not available. The other justice of the peace worked 46 consecutive days in Renfrew county. I have spoken to the minister on many occasions about those appointments, and nothing is happening. I think it's unfortunate that access to justice is certainly being denied in Renfrew county.

I want to talk about one of the things that comes through my office on a regular basis: people who find themselves in need of the courts because that's the only way it can be remedied. They'll say, "Can you do anything for us on this, John?" I'll say, "In fact, there's nothing I can do. It is a legal matter, and you're going to have to get a lawyer involved." In the case, for example, of a wrongful dismissal or something, you've got John Q. Public—they can't get legal aid for this but they don't have the resources to challenge these kinds of things, and the company that may have dismissed them certainly has the wherewithal to ensure that if there is a challenge to it, it will be stalled long enough in the courts so that these people don't actually get a fair hearing. I think that's one of the problems with access to justice: For too many people who are not people of means, they really don't truly have access to justice.

The Deputy Speaker: The member for Ottawa Centre, you have two minutes to respond.

Mr. Patten: I want to acknowledge the comments from the members from Barrie-Simcoe-Bradford, Niagara Centre, Lambton-Kent-Middlesex and Renfrew-Nipissing-Pembroke. It's interesting: We keep skirting around the whole concept of access. I would say to my friend from Niagara Centre that in fact he criticized the quality of other aspects of the court system but failed, on the other hand, to acknowledge what this bill is attempting to do, in particular with tidying up administration of justice, providing criteria and more accountability, the licensing of paralegals and the whole process of transparency of the justices of the peace. For the first time we'll have a transparent process. These people will go before a committee of this particular Legislature with their CVs and their background and have to justify that to a committee that is made up of all parties of this particular House. I think that's an improvement.

I would also go on to say—and my friend from Lambton-Kent-Middlesex underlined this as well—this was the aspect of how someone cannot say that by expanding the ways in which people can communicate and participate in the process of giving testimony, or of witness or opinion or what have you, this does not increase or improve access to justice.

The Deputy Speaker: Further debate?

Mr. Tascona: I'm very pleased to join in the debate on Bill 14. There are a number of aspects of the bill that have to be addressed. We've been focusing quite a bit on the Liberal government's failure to provide adequate justice of the peace coverage in a number of jurisdictions, but there are other parts of the bill that I'm going to mention.

One is in schedule A, medical malpractice damages. They're going to be setting up a new section 116.1 of the act which deals with medical malpractice actions: "In these actions, any damages awarded for the future care costs of the plaintiff must be paid as periodic payments under an annuity contract that satisfies specified criteria. Certain exceptions are specified." So certainly what they're doing there with respect to medical malpractice is trying to provide a more structured approach with respect to damages awards as opposed to a massive payout.

Also dealing with the legislation here, I'm going to comment on the Justices of the Peace Act, which is being proposed, and also the amendments to the Law Society Act dealing with paralegals.

Basically, a lot of it is just technical areas that we're dealing with in schedule A. I want to focus more so on dealing with the justices of the peace process, and also the paralegals. My colleague Bob Runciman is the critic for our party with respect to the Attorney General, and certainly not only himself but previous Attorneys General, who would have been Norm Sterling and Jim Flaherty, dealt with this paralegal issue, which is something that the law society has wanted to deal with. I met with the law society and I also met with the paralegal associations to deal with this particular area.

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It's an important area, because I think the strength of any society is to provide mechanisms for people to get legal advice. There are a number of mechanisms out there. Obviously, if you can pay for your lawyer, you're going to be able to get whatever lawyer you wish. But there are people that can't afford to pay for a lawyer, so we have the legal aid system, where people can go and get legal advice to deal with, generally, family law matters and criminal court matters, provided they meet the financial means test in those particular areas. Also, we have clinics where people can come and deal with their problems, community legal centres, which are throughout the province and provide people with representation and legal advice. Generally, you'd be dealing with landlord-tenant matters to provide people with some advice, where a lawyer would be acting out of that particular clinic. And any community that has a law school—I know that when I went to Queen's law school the students provided legal advice through the school and gained experience that way, but also provided legal advice in that particular community for the problems that came through the office. Also, there are other mechanisms in terms of lawyer referral, which the law society provides for people to get free advice for up to 30 minutes to deal with their legal problems. That creates a void; I think the member from Niagara Centre commented on the areas that aren't covered by legal aid, where people don't have the financial means, so they have to go to other areas to get that advice.

One of the areas where that's popped up is paralegals. I think everybody knows, whatever community you are in, there are paralegals out there doing—definitely, in terms of fighting traffic tickets, I think everybody knows about them in terms of that particular area of practice, which has proved to be filled quite adequately by the paralegals, to name one area.

Certainly, they provide advice in other areas—landlord-tenant, and civil matters in terms of debt collection. What we have there is an area where—we dealt with it earlier last year—you've had cases where paralegals have got themselves in trouble, and the client doesn't have the access and protection they would have with a lawyer. Certainly with a lawyer, if the lawyer is found to have misappropriated funds or provided negligent advice, there is an insurance scheme which will provide protection for the client where the lawyer has not met the standards of the law society. The protection is there with respect to an insurance fund, because all lawyers pay into it and it's something that's administered by the law society. That protection isn't there with respect to paralegals who get involved in that type of activity, and the clients are not protected.

I think it's long overdue that we as legislators take a look at this particular area and bring some stability to the area where paralegals are practising, in terms of what areas they're going to be practising in, what standards they're going to be practising under and what's going to be the overriding body to deal with how they deliver their

services to the community. It's very important that we have that debate here.

I know my colleague Bob Runciman, the Attorney General critic, is looking forward to very detailed and not lengthy hearings, in terms of delaying the process, but certainly thorough enough hearings in terms of making sure that all the parties are able to get their views across with respect to dealing with the complex issues that are in Bill 14. That's the only way we're going to be able to hear from the stakeholders in terms of the nuances that are going to be required for this to be amended properly.

Certainly, with respect to the paralegal file, that is something that has been the subject of extensive stakeholder discussion over the years. Obviously, I think it's going to lead to some lively presentations at the public hearings, because of what's at stake in terms of people's livelihoods and the quality of the justice system that we want to provide in this province.

That returns me to one other aspect of the bill. Schedule A deals with a lot of housekeeping matters regarding the administration of the courts, bureaucracy, the rules of court and giving the chief justice more leeway, but schedule B gets into the nuts and bolts of the justices of the peace system. I know that the members across the floor are having discussions and making comments about the system that their government inherited. Well, the fact of the matter is, the justices of the peace system has been around for many years. Certainly the selection process and the qualifications of justices of the peace are the subject of many debates.

I know that in the province of Alberta, that was the subject of some heated discussion in terms of how justices of the peace should be selected and what their qualifications should be. If I recall it correctly, that was the subject of a court challenge with respect to the approach that was taken in Alberta that to be a justice of the peace you needed a legal background and legal training, yet at the same time, they had a number of justices of the peace who didn't have that. So in order to protect their position and what the government was doing, they launched a court challenge with respect to what ended up protecting their position. The government did move forward in terms of reforming the justices of the peace provisions, but not in the direction they were initially headed.

Where we are now in the transformation of the selection process in Ontario is that we have a process where people apply, their qualifications are reviewed by a committee and those qualified people who applied are referred on to the Attorney General for the selection process, i.e., where they should go and who is selected. That's something that was brought forth in the latter 1980s. That's a process that I don't believe is the same at the federal level, if I recall correctly. In my reading, the Superior Court justices are not selected in the same process that provincial court judges are.

What we have here is that we're moving forward with a process that is being brought forth by the Attorney General at a time when their services are obviously in

great demand, when the review of the qualifications of justices of the peace is certainly under severe scrutiny, because there are varying opinions throughout the legal community and obviously throughout the community in general with respect to the quality of the role that the justices of the peace play per se in the court system. Some are positive, some are negative and some are just sort of mixed reviews about what they lend to the administration of justice in this province.

There is no doubt in my mind that we need a process in place that will make sure that we have the most qualified individuals put in place who will serve the needs of the various jurisdictions that are in need. That's one thing I've noticed about this Attorney General. We have an incredible need with respect to the fast-growth area in Simcoe county and in the area of my colleague from Parry Sound-Muskoka with respect to justices of the peace. Where are we seeing justices of the peace being appointed? We're seeing them being appointed in the urban areas: Mississauga, Brampton, Toronto and Ottawa. That's been a steady stream from this Attorney General in terms of where he is appointing justices of the peace. He is continuing to do that even while we're dealing with Bill 14, which will provide for a procedure that he is not currently following, in terms of selecting the most qualified candidate to become a justice of the peace.

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This is a system that also requires dealing with justices of the peace who get out of line. There are some high-profile cases even recently dealing with justices of the peace who are being reviewed for their conduct.

This particular area where the Attorney General wants to take us, I believe, because of the great need we have to provide the best system we can with respect to the criminal justice system and the role that justices of the peace play should not have been part of a sort of omnibus bill with respect to the justice system. I just don't understand why the Attorney General chose the route he did with respect to justices of the peace. This is something that could have been dealt with by him a number of years ago in terms of the problems we have and making sure the justices of the peace, whatever type he wants to put in there, were put in there, as opposed to delaying it. Quite frankly, there's so much in this bill that it's going to require delay and extensive public hearings to go through this.

At the same time, I was surprised by the fact that he chose to bring in, in an omnibus bill, the paralegals, which is something that could have been dealt with separately as opposed to in this particular bill. But he chose to deal with a particular area that is highly controversial. I know the law society was very anxious to have a bill that dealt with paralegals as expeditiously as possible so they could get on with the task. That's not going to happen with this bill, because he has basically thrown in a number of different areas that are going to be commented on and are definitely going to be subject to public hearings.

The Attorney General knows full well that the lack of justices of the peace in this province, definitely in a number of areas, has caused incredible strains on the justice system. I think that's going to be part of his legacy. He can say what he wants with respect to reforming the justices of the peace system; it's the way he went about it, in terms of dealing with it in the manner he has and the delay, that is his failure. This government was elected back in October 2003. Instead of dealing with substantive issues, for almost a year and a half to two years this Attorney General was dealing with the pit bull issue, which he put on his plate, making that a priority. We see the problems with gun crimes and different issues dealing with safety in our streets. He decided to deal with something that was certainly not at the top of anyone's agenda with respect to law and order.

Now we're dealing with an omnibus bill, which everyone was surprised with. When my colleague from Niagara Centre and I were dealing with this with the Attorney General, we fully expected the justices of the peace to be dealt with in a separate act, and the same thing with the paralegals, as opposed to what we're dealing with here today, which is a very intensive and very complicated piece of legislation for anyone to comprehend in terms of what he is truly trying to accomplish here. People are saying this is streamlining and modernizing the justice system. Well, it's not. It's certainly not addressing and streamlining the administration of justice; the Access to Justice Act, as he likes to call it.

All I can say is that, as we move through the debate on this, I haven't heard anything substantive coming from the government. They're not even using the time they've been allotted to debate this bill. That's fine if the intent is that they want to get into public hearings and listen to the public, as we all do. There's a lot of meat in this bill in terms of dealing with fundamental reform with respect to justices of the peace and with respect to paralegals, among other aspects of this bill, as to what the Attorney General wants to accomplish.

My friend from Niagara Centre commented extensively on schedule A, which deals with amendments to the Courts of Justice Act. Over the years, there have been so many amendments to the Courts of Justice Act that it's almost like it happens with every new Attorney General, that they're going to put their stamp on changing the Courts of Justice Act, and it's never dealt with. It's amazing that with all the changes they've made to the Courts of Justice Act, they haven't got it right in a particular sitting and we continue to dabble with respect to technical amendments and changes to the rules with respect to the Courts of Justice Act. Maybe that's the flavour of the month with respect to this Attorney General in the event that he wants to put his approach on to the administration of justice.

Here we are, debating all kinds of different changes in an extensive bill dealing with access to justice and, at the same time, we're not going to see the most qualified, the most properly screened candidates become justices of the peace, if that's the intent of what this Attorney General

wants to accomplish. We're not seeing that in this bill because of the delays that are going to be caused by this approach of wanting an omnibus bill with respect to the justice system.

It's unfortunate that we have to deal with it in this way. It could have been dealt with years earlier in terms of dealing with a particular issue, which was access to justice with respect to the criminal court system as administered by the provincial government, particularly focusing on the roles and requirements of justices of the peace as opposed to dealing with so many different areas that we're just basically touching the surface in terms of getting into some legitimate debate in terms of this area.

The Deputy Speaker: Questions and comments?

Mr. Marchese: I will be speaking next, in approximately 10 minutes, and I don't want to go to too much length in talking about the omnibus nature of the bill, but in this regard I agree with the member from Barrie-Simcoe-Bradford in light of the previous members of the Liberal Party, who were in opposition before, who used to attack the Conservative Party and others on any bill that was introduced that was omnibus in nature, i.e., tying in so many aspects of whatever it was you wanted to do. You threw it into a big, thick bill of this sort.

Mr. Bradley, who is now the House leader, used to be highly critical of the Conservative government when they brought in omnibus types of bills, except and unless when they get into government. It is amazing how you can change when you get into government. This is why I advocate that the Liberals be speedily sent back into opposition to remember what it is they said, so that should they ever get back into government, they won't do it again.

I mean this. We become cynical, both politicians and the public, when we hear opposition members say one thing and they get into government and quickly do another. We've got to learn from this. It appears the Liberals are not learning. This is why I say they need to come back into opposition quickly, and we can't wait. There will be an opportunity. There will be by-elections of course in due course—I would say very shortly—and there will be an election in October 2007. Some people can't wait. I believe the Liberals need to come back into opposition and be reminded of the promise they made. I'll speak to that in approximately five minutes.

1700

Mr. Mario Sergio (York West): I have enjoyed the comments of both our colleagues on the other side of the House, and I can't wait to hear my colleague from Trinity-Spadina when he speaks to the bill on a more lengthy basis.

I was very much taken by the member from the very much growing community of Barrie-Simcoe-Bradford. He made a few comments that I think address exactly the content and the core of this bill. After all, it's a very small bill and addresses some very specific points. It addresses as well the need for making these changes.

There were a couple of important things that the member said. He says, yes, I guess they want to push this

bill, if you will, for second reading so we can send it for public hearings. Well, isn't that a wonderful thing, Speaker, that they understand the process, that we follow it through to go to the public and have even further consultation.

With respect to my colleague on the other side, this is far from being what we call an omnibus bill. This is so simple that they should be pleased we're discussing it in the House today. I would indulge the members of the House to say, you know what? Indeed, we should send it further, get it to public hearings, and if there is anything they don't like or the public doesn't like, then bring it back. But there are a number of major concerns the Attorney General has addressed. It would bring a lot of improvement to the legal system, the way we know it today.

Mr. Kormos: Which sections?

Mr. Sergio: Sections 1, 2, 3, 4, 5, to my friends on the other side. Once we get to it, I'm sure this will be a good bill and will be worth approval.

Mr. Robert W. Runciman (Leeds-Grenville): I would agree with the member opposite that hopefully at some point this will be a good bill, but in its present state, it is anything but a good bill.

When we talk about access to justice, there are so many problems with the justice system, and I don't say they are strictly in Ontario. We have national problems, and skepticism and cynicism are very evident in the public with respect to the justice system in this country. In terms of Ontario, you look at the minister getting up and puffing up his chest about all these issues, but we find out through the media that behind the curtains the government was preparing to gut the justice system of Ontario to the tune of \$339 million. We hear them get up and talk about this new challenge fund to help youth at risk. Well, the reality is that under the Harris government some years ago we established a program called Ontario's Promise, with \$30 million, significant commitments made by the private sector, a program that would have helped the very young children at risk in this province, which was simply shoved aside very quietly by the Liberal government. Now they're resurrecting a program that is quite comparable to Ontario's Promise in many respects and are saying, "Now we are the saviours. We are going to address the problem" that they ignored a little over two and a half years ago.

We can talk about a whole range of things they've done: the Crime Control Commission, which they closed down, but they kept a phone number. You'd phone up and someone would say, "Crime Control Commission." It's a false front like we used to have in those old Western movies: nothing behind it, because they gutted and closed the office. They had plans to transfer the sex offender registry to the federal government, which is a much weaker registry. We know they wanted to transfer the parole board responsibilities to the federal parole board, a terrible decision. They have a lot to answer for.

Mr. Kormos: Let's be very clear. This bill, Bill 14, contains, among other things, two very important pro-

posals. One is with respect to the regulation of paralegals; the other is with respect to a major reform of the justice of the peace appointments process.

It is imperative that members of this chamber participate in the debate in an effective and meaningful way. I believe their constituents deserve to know where they stand on this bill, that their colleagues deserve to know, and that the record ought to show. It is increasingly rarely the case that bills receive thoughtful consideration in this chamber, never mind in committee as they're rammed through with two or three days of committee—slots of 10 or 15 minutes for participants. It's embarrassing sometimes to sit and watch people who have worked hard preparing their submission being cut off after 10 minutes and being told to go away.

I call, please, for thoughtful consideration of this bill. I want this bill to be considered as thoughtfully as this chamber considered the repeal of the defined benefit pension plan and its replacement by a defined contribution pension plan back in 1996, when members voted to give themselves a defined contribution pension plan.

I supported that proposition thoughtfully. I know Mr. Runciman supported it thoughtfully. I know Ms. Pupatello supported it thoughtfully. Mr. Levac supported it thoughtfully. Mr. Marchese supported it, after thoughtful consideration. Was Mr. O'Toole here? Of course he was here in 1996. Mr. O'Toole thoughtfully voted in support of giving MPPs a defined contribution pension plan. We were ahead of the pack. We were leading edge. This has now become *de rigueur* across North America and indeed western Europe. I want that same sort of thought applied to other legislation as well.

The Deputy Speaker: The member for Barrie-Simcoe-Bradford has two minutes to reply.

Mr. Tascona: The member for Niagara Centre's topic is very depressing. I don't know how he got on to that, but I think getting into meaningful debate was his premise.

The fundamental issue here is that this bill is 176 pages. It's dealing with some fundamental changes where people in their daily lives come face to face with justices of the peace. If you're paying for a traffic offence, if you've done something to violate anything in the municipality you live in, if you're dealing with a paralegal, if you need some advice or whatever, these are fundamental issues.

One of the problems with this place is lack of respect for the members. You have an Attorney General who knows these are hot-button issues, big-time issues. He doesn't want any meaningful debate in the House. Even when we go out on public hearings, there's so little time to really get at the bill and try to get it right and meaningful.

Interjections.

The Deputy Speaker: Order.

Mr. Tascona: It's very disappointing when the member from York West says this is just a small, little bill. I don't know whether he just read the preamble—that may have been the extent of what he read—but it's 176 pages

and it's a very complicated bill. As the member from Leeds–Grenville has commented, here they are coming out with the Access to Justice Act, and the biggest joke of it all is that the Liberal government is gutting the legal system by \$339 million. They've been cutting back on the legal system ever since they came in, and they're saying, "We're going to promote access to justice." Well, how can you have that when you're taking money out of a system that requires it? It makes the best society we can have if we have a functioning criminal justice system and a court system. They have failed to do that.

The Deputy Speaker: I remind members that we have lobbies in which to carry on discussions while we're debating serious matters here in the Legislature.

Further debate?

Mr. Marchese: I'm happy to have this opportunity to speak to Bill 14. I just want to make a couple of comments with respect to what my friend and colleague the member for Niagara Centre said about meaningful debate. There used to be a time, before my time even, in the Peterson era, when bills were debated at length and sent to committee hearings for more than just a day or two; in fact, there were weeks of committee hearings.

To be frank and fair, New Democrats continued with that tradition from 1990 to 1995.

Mr. Kormos: Bill 40.

Mr. Marchese: Not just Bill 40, but so many bills for which we found friends and foes alike, beaten up often by our friends and foes alike on so many bills. But in my view, that did contribute to a healthy debate of bills.

Now it's all different. The Conservative government before this one rarely had meaningful debate on bills. In fact, we were lucky to get a day or two on many bills. Now you hear some of the Conservative members lament about the fact that we're not getting much time to debate some bills. It's a bit peculiar to hear them talk about meaningful debate, but it is a fact that we are not engaged as much as we should be on bills and don't have the time to be able to read them and time to be able to debate them.

1710

I will start by talking about the omnibus nature of the bill, and I will remind the Liberals, because they hate to hear it, that when they were in opposition, before 2003, they slammed governments for bringing in omnibus bills on a regular basis. Just to help you, Speaker, and to help those who are watching, because we're on live and it's 5:12, here's what some of them used to say.

Dalton McGuinty, December 6, 1999: "This omnibus, megabill approach to legislation makes for bad legislation.... We will not set a precedent that gives the government the green light to continue to ram omnibus bills down our throats. We want the bill split to allow separate votes on each piece of legislation."

Another one, Monsieur Duncan, May 30, 2001: "There has been an increasing tendency to be concerned about the nature of omnibus bills, the relevance of everything that is contained in them and the linkages between them. It's apparent to me, sir, and I know to many other

members in this House, that increasingly bills have become, to use the member for Niagara Centre's words, more omnibus; that is, the scope and breadth of the legislation contained in them is less related, except in very loose fashion, than it had been in the past."

There's more. Steve Peters, October 23, 2002: "Another famous trademark of the Harris government, unfortunately, is going to be their unrelenting support for omnibus legislation. It's a bill that's in front of us this evening, that talks of efficiency, but I don't think it's in the interests of the taxpayers of Ontario, whom all 103 of us here represent this evening. I don't think that the taxpayers of Ontario are looking at us to be efficient in the manner of ramming through omnibus legislation.... It's not responsible, it's not efficient to deal with them in the manner of an omnibus bill."

Mr. Kennedy, June 8, 1996: "This government, rather than take an appropriate and responsible form of action, has decided to do this in an omnibus way, which we have to suggest from this side occurs for one reason only: Just as there's a convoluted title to this piece of legislation, so is there a convoluted piece of reasoning, and the piece of reasoning is simply to throw as much stuff at the public as possible, as quickly as possible, before it realizes what is happening."

Monsieur Bradley, mon ami Jim, said on November 18, 2002: "What we look at in a bill of this kind is the fact that it's an omnibus bill. That means it has so many components to it that it should probably be broken down into four or five different bills. As is the case with many omnibus bills, some of the provisions in this bill are supportable; others are not. What the government usually does is put a hostage in the bill so the opposition won't vote for it, and then they can say about the good and popular things in the bill, 'The opposition voted against it.' But you really can't fool people with that."

They do this all of the time. In fact, the Liberal government does it to New Democrats and Tories on a regular basis. It appears that when you're opposition you can say one thing, and when you get to the other side, you immediately do another. I've become cynical, voters are becoming cynical, and the electorate, generally speaking, condemns us all. It isn't helpful, to politicians or to the political process, to be doing this. This bill is about that. It's an omnibus bill. It's a thick one that the member from Niagara Centre mercifully has read, because he is the critic and loves these issues. We're lucky that we have some members who on a regular basis read thick bills of this sort so that we know what is being talked about. The member from Niagara Centre dealt with a lot of legal issues, and I want to make comments in relation to this that maybe are not legal but are certainly very political and appropriate.

That's why I want to begin by talking about this being an omnibus bill, that the Liberals when in opposition attacked the Tories on a regular basis in this regard, and they're doing the same, et rien ne change. It's just the nature of the things, it seems.

The other comment I want to repeat and emphasize is that this government has flatlined this ministry. When you flatline a ministry, it means you get no extra money. "Flatlining" means that you're not even getting inflation as a way of helping your ministry to deal with some of the issues you've got to deal with. "Flatlining" means that the government is giving that minister and that ministry less. Flatlining demonstrates a lack of commitment to that minister and to that ministry. So they can talk about access to justice with this bill, but flatlining belies that commitment, meaning that there is no commitment to justice when you are not giving it the financial support it desperately needs.

The government won't speak to that. They'll say oh, how much they're doing. But in our humble view they're not doing very much. That's why we point out, and the member from Niagara Centre regularly reminded the Conservative government and reminds this Liberal government of the same thing: They speak to issues of access to justice, and we say there is nothing in this bill to address the plague of plea bargaining that is taking place in our courts because the crown attorneys are understaffed and under-resourced. What it means in layman's terms is this: Lawyers and crown attorneys who don't have the time to deal with the barrage of court issues that are before them have to bargain with the lawyers of malfeasance, and bargain in such a way as to get it out of the way, and getting the issue out of the way means that you're not getting access to the justice that we desperately need for deeds that are sometimes abhorrent to us as politicians and to people often in the public arguing that sometimes people get away with relaxed justice.

When crown attorneys have to plea bargain on a regular basis in order to expedite the number of dockets, what lawyers often use as the term for "cases," it isn't the justice that people want to see. They're not getting the justice that people want to see. Plea bargaining happens because crown attorneys are understaffed and under-resourced. It doesn't matter how often the member for Niagara Centre says it; the Tories didn't hear him and the Liberals are not hearing him.

Hon. Mr. Bradley: It started under the NDP.

Mr. Marchese: Mon ami M. Bradley can say what he likes and mon ami M. Bradley can have a double Liberal approach to the issues, but when he's in government, he's no different than the Tories who have left us and have left so many people behind. Jim is a good guy; that's not the issue. When he's on the quiet and quiet, Jim says, "Yeah, you guys had a hard time economically. I understand. I can't say that publicly." But he wants it both ways. He says that, oh no, if they were in government there would have been a balanced budget; oh no, they wouldn't have cut any services; oh no, not the Liberals, no siree, not in a bad economy, not in a recession. Jim wouldn't do that. He's not that kind of Liberal. Yes, Jim would have spent the \$5 billion on social assistance because that's what it took when those people were unemployed. Jim would have found the money somehow. He would have found the money not to cut services.

1720

Mr. Bradley, the House leader, is well aware of these things. He knows. This so-called access-to-justice bill does nothing to address the court backlogs that put our justice system at risk of having serious criminal charges withdrawn on a daily basis. It does nothing. When you flatline this ministry, it means you're not dealing with the issues I have raised that would bring about greater access to justice to those who perpetuate misdeeds and serious crimes.

Another matter has been raised by the member from Niagara Centre, and I want to repeat it because as a critic on issues of disability he made some excellent points. On page 21 of this bill there is "Accommodation of needs" for certain individuals. I'll read you what it says:

"5.2(1) A justice of the peace who believes that he or she is unable, because of a disability, to perform the essential duties of the office unless his or her needs are accommodated may apply to the review council for an order under subsection (2).

"Duty of review council

"(2) If the review council finds that the justice of the peace is unable, because of a disability, to perform the essential duties of the office unless his or her needs are accommodated, it shall order that the needs of the justice of the peace be accommodated to the extent necessary to enable him or her to perform those duties."

What this says is that if you are a justice of the peace and you are found to be disabled for whatever reason, then it is an obligation of the Attorney General and the ministry to accommodate that individual. We believe that's fair. That is good for people who have a disability because they have the ability to do the job. Having been disabled in some way or other doesn't mean they're not able and capable of performing their duties, but they need to be accommodated in order for them to perform their duties. We believe that's fair.

The member from Niagara Centre made a few other points that I think bear repeating and emphasis: This government does nothing to encourage individuals who are disabled to in fact become justices of the peace. It does nothing to support them by saying, "You will be accommodated." It does nothing to do with recruiting people with disabilities in order to be justices of the peace. While on page 21 of this bill accommodation is made to those who are justices of the peace who become disabled—while that is true—we do nothing to recruit, we do nothing to encourage and we do nothing for people who are able and have a disability to become justices of the peace so that we in Ontario could genuinely reflect the kind of society we're living in, where 15% of the people have a disability of one sort or another. Why wouldn't we recruit people who have a disability to be justices of the peace? Why wouldn't we say, "We will appoint more"? I am convinced that Mr. Lepofsky, who is an incredible advocate of people with disabilities, will pursue this matter and will press this government, including the House leader, mon ami Jim Bradley, on this

very issue. Not just him; he will impress upon the Attorney General and others that accommodation needs to be made in our court system and that recruitment needs to happen in order to get more justices of the peace who have a disability. It was an important point and something that can be so easily overlooked when you deal with such a bill—this omnibus bill, thick as it is—which has so many components to it, mostly legal. But the one I raised is not a legal matter at all. It has to do with reflecting and recruiting people, so that when they get to be a justice of the peace, they can reflect the true nature of our society with the sensitivities that are so needed in that position, so that they can tackle issues of disability when they come before them. I think it would reflect our people in our court system much more effectively.

Another issue of importance that has been raised, and I repeat it for emphasis, has to do with access to justice as it relates to what the government wants to do. The government wants to short-circuit the system to the point of denying someone who has been charged with a traffic offence the right to confront their accuser in court. They will teleconference; maybe they can do it by telephone. We think it's wrong. The member for Niagara Centre pointed this out, and he's not the only one that believes it's wrong. We believe a whole lot of people out there want to be able to confront, face to face, the person who is going to judge him or her, or evaluate him or her, or deal with him or her with respect to an offence. It should be a matter of access to justice that we are able to confront the person who is going to have a strong say as to the future of our lives. This bypasses it.

This needs to have serious debate. This particular part of the bill needs to have an adequate hearing. Yes, we hear from the Liberal members that it will go out for committee hearings. We understand that, and we hope it isn't just one day or two. The bill is too big for the one-day-or-two response. So we expect that the government will adequately deal with this particular bill.

We want this bill to go to committee. We want the government to reflect on its own position vis-à-vis the omnibus bill. We want the government to reflect on why they're flatlining this ministry that desperately is under-resourced and understaffed. We want the government to reflect on why the court system is backlogged and how they're going to fix it. In spite of the claim they make that they're hiring a couple of more judges here and there or a couple of justices of the peace, it's just not going to solve the backlog. We need to seriously deal with it and they need money, and the lack of it is not helping.

Thank you for your attention.

The Deputy Speaker: Questions and comments?

Mr. Delaney: It's always a pleasure to follow the member for Trinity–Spadina, and to talk about Bill 14. Bill 14 is really about access to the justice system. Bill 14's key points are openness, transparency and accountability. This causes the member for Trinity–Spadina to chuckle a little bit. In fact, he even expressed a problem

with teleconferencing and video conferencing, expressing the opinion that perhaps one may not be able to “confront your accuser,” to use his own words.

What it does mean is that litigants, defendants or crown witnesses who may not otherwise be able to get to court to present evidence that could be crucial in resolving a case now can. It means that someone who could be offering, for example, very technical evidence could appear in court through video conferencing or teleconferencing and be able to present that. We all know that with the rapid advances in technology, we're pretty soon going to be able to offer high-definition television in court, so if the member for Trinity–Spadina really wants to see the witness sweat, he may actually be able to see the pores of his skin live. There's no problem with cross-examining him because, by definition, with video conferencing, he'll be able to ask for and hear a response, and do it in real time. Indeed, right now, most of us take for granted the fact that on our instant messaging applications, we can plug in a little videocam and get a very small image, 175 by 300 pixels or something. We can do that with our family and friends overseas.

What this is telling us is that our court system will pretty soon be able to join the 21st century, will be able to have access to people in the same way we do as individuals. I think this is a good advance, I think this is progress, I think this is forward-thinking and I think this is one of the attributes of Bill 14 that deserves support.

1730

The Deputy Speaker: Questions and comments? The member for—

Mr. Yakabuski: Renfrew–Nipissing–Pembroke. Thank you very much. It's getting close to shutdown time, I know, but I'm sure those people out there are still tuned in, bright-eyed, waiting for something really profound to emit from this chamber.

Mr. Kormos: We're competing with Springer; you know that?

Mr. Yakabuski: Are we? Jerry Springer. Okay. Well, I don't think we can compete with Jerry—at least not verbally.

I spoke earlier, just for a short moment, about access to justice and the problems we have in my county, for example, with the shortage of justices of the peace and the failure of this government to address that. I recall some time where the Attorney General made some comment to the press that he would be hiring scores, huge numbers, of justices of the peace. They were just around the corner. That hasn't happened. When we don't provide the tools for the justice system to work efficiently, and by that I mean when the dockets are so full that the people who are expected to render judgments in these cases are simply—there's no ability for them to even properly consider some of the matters; they simply shove them off to another day or whatever.

When we don't have the proper personnel or enough personnel in the justice system, that amounts to a denial of justice for the people who are, usually against their own will, involved in that justice system. Even if they

possibly may be seeking to plead guilty to the charges, it still takes them a long period of time to actually be able to get those court dates arranged because of the backlog in the system. That's caused by inaction on the part of the government and this Attorney General with regard to the shortage of justices of the peace. I'm sure that my riding is no different than other places in the province of Ontario. It's something that has to be addressed as soon as possible.

Mr. Kormos: I join those in thanking the member for Trinity-Spadina, Mr. Marchese, for his astute comments, especially his interest in the issue of accessibility and support for persons with disabilities. I'm hopeful that during the course of committee hearings Mr. Marchese will be present to advocate again at that level in this regard. I'm encouraged by the fact that he will bring with him people from the community who share his strong views.

I want to make it very clear: New Democrats support the role of paralegals in our justice system. We think paralegals play, continue to play and can play a very important role in delivering legal services. I'm a fan. I've got to tell you that POINTTS, which, as you know, has offices across Ontario—in particular Bruce Scott, a former justice of the peace, is the POINTTS person down in Niagara, somebody I have the highest regard for; does incredibly capable work. I refer a whole lot of people to him. He is an illustration of an exceptional paralegal, one who, quite frankly, doesn't have to be regulated, but one who similarly understands how important regulation is. Mickey Parker is another very effective paralegal advocate, one I trust absolutely and to whom I refer and, even before I came here, had referred a whole lot of people. People like Bruce Scott of POINTTS, Mickey Parker, who's with POINTTS as well, are examples of good paralegals.

My concern is that this legislation is so skeletal when it comes to paralegal regulation that we're not going to have an opportunity to discuss, for instance, eligibility standards, scope of practice, grandparenting of people who are already in the practice. That is an incredibly serious omission and oversight by this government, one I hope they will correct.

Ms. Jennifer F. Mossop (Stoney Creek): I'm pleased to rise to speak to this and to clarify for people who are listening right now what Bill 14 is all about. Essentially, what it is doing is modernizing, bringing up to date in relation to today's technological advances and realities what we have available to us to make the justice system more streamlined. It will improve people's access to the justice system, and it will provide greater openness, transparency and accountability.

Importantly, as was suggested by the member for Niagara Centre, it will regulate paralegals. This is something that has been discussed and talked about, and there is tremendous concern around this area. There is a need to regulate this sector, and many in the sector agree with that. So we are going to regulate paralegals, and we'll reform and streamline the justices of the peace system as

well, something else that's been called for for quite some time. Essentially, we're just making sure we're getting on with those things.

The proposed reforms to the justices of the peace system would ensure a more open and transparent appointment process, which I think everybody can agree would be a good thing, and would establish minimum qualification standards to ensure public confidence that qualified candidates are being appointed. That is a very important point in this.

These amendments would also permit witnesses to be heard by video conferencing, which has been mentioned. That's going to allow police officers to provide evidence from locations outside the courts. This is just a matter of expedience that will allow for better proceedings and also prevent delays in proceedings. It will also permit alternative mechanisms for resolving disputes arising from municipal bylaw infractions such as parking. Again, those very straightforward, common-sense sorts of measures are being taken in this bill.

The Deputy Speaker: Member for Trinity-Spadina, you have two minutes to respond.

Mr. Marchese: I personally have no problem at all with some of the changes that are being made. When Liberal members talk about justices of the peace, for example, and establishing minimum qualifications, I think that's a good thing. It's good that having a university degree or community college diploma is part of a minimum requirement. I think that's a very good thing. Where there might be some questions around this particular issue has to do with including life experience. I think there might be a whole lot of people who have questions about what that means or what that might entail. We agree with minimum standards. There may be questions in committee about what life experience might include.

On the whole idea of regulating paralegals, we have no problem with regulating. We think it's important. But the member from Niagara Centre talks about the need to speak about the scope of practice and grandparenting. There may be questions by other lawyers and people in the community about these issues, including so many other questions that are raised in this omnibus bill that many people want to speak to.

I just want to repeat, as it relates to the issue of access to justice, that there is nothing in this bill to address the plague of plea bargaining that is taking place in our courts because crown attorneys are understaffed and under-resourced. There is nothing in this bill to address court backlogs, which puts our justice system at the risk of having serious criminal charges withdrawn on a daily basis.

I repeat that the government wants to short-circuit the system to the point of denying someone who has been charged with a traffic offence the right to confront their accuser in court. We believe that a lot of people believe this is a good thing. If there is a problem with getting cops into court to testify, then we have a problem with the number of police officers working in any given

community, which speaks to the fact that this ministry is under-resourced and we should be dealing with that. Because it's flatlined, there is a problem in this regard.

The Deputy Speaker: Further debate?

Mr. Delaney: It is certainly a pleasure, as one whose undergraduate degree is in physics and whose post-graduate degree is an MBA, to be able to have so many opportunities to weigh in on such an important bill from the Ministry of the Attorney General.

I recently heard my colleague from Trinity-Spadina complain that the budget of the Ministry of the Attorney General had been, and I use his own word, flatlined. While I could not agree with him more that one measure to follow a balanced Ontario budget would be a nice increase in the budget of the Attorney General, I must take issue with the member's contention that the Ministry of the Attorney General has been flatlined. When you're flatlined, it means you're dead. It means the lights are out. "Flatlined" means that the next step is the Pearly Gates of the hereafter. So, of all the expressions to use, "flatlined" is not one of them.

1740

I've had the pleasure of knowing our Attorney General, the member from St. Paul's, for more than six years. Our Attorney General is nowhere near flatlined. In fact, he is very much alive, vibrant and active. Far from being what the member from Niagara Centre referred to as "Harnicked," the Minister of the Attorney General has in fact been Bryantized. Our Attorney General is in every way a Bryant among men and women.

Let's look at what this high-energy approach has yielded. The wild, wild west of the judicial system is the body of people who give you advice on the law—people who are not lawyers; they're paralegals. I must confess that when I first heard the term, when I was very young, I always thought, "Does paralegals mean that they're guys with briefcases who jump out of aircraft?" No, in fact; a paralegal means that while you aren't a lawyer, you are offering advice on the law. Currently, the Latin expression of caveat emptor, which means "buyer beware, has never been applied better. That's why Bill 14 provides regulations to bring some order to the paralegal profession. Bill 14 provides some protection for people who get legal advice from non-lawyers.

Before proceeding with this bill, the minister sent his hard-working parliamentary assistant, our good colleague the member from Willowdale, to meet with the legal community, business groups, consumer protection groups and many others. If there is one thing that the member from Willowdale did, he piled up the paper. He read it all, digested it, grasped it and boiled it down to its very essence in producing a bill that makes a measurable, tangible improvement to Ontario's legal system; and I, for one, applaud him for those efforts.

Right now, in regard to paralegals, there are no rules at all. Other than not having standing in the court, anybody can offer advice on pretty much anything and charge some money for it. So what Bill 14 sets out is a series of

measures to allow those who are not lawyers to offer advice in specific areas of the law.

Why would anyone want to do this? Perhaps someone with a lot of experience in a specific area of the law, such as landlord-tenant disputes or drafting legal documents such as contracts, wishes to offer services to a client. You could do it by joining a law firm. You could do it by working as a non-lawyer for other lawyers who pay you, perhaps very well, and re-bill their clients for your fees. This actually could be a win-win for both the client and the lawyer. For the lawyer, you get the benefit of someone who knows the area of the law and knows it cold. As a client, you may not be paying very hefty legal fees, which could be in the order of \$200, \$300, \$400 an hour or more to have someone who is a lawyer research documents and write something that someone who is a paralegal knows backwards.

Now, you could be a retired or a non-practising lawyer. You could subcontract your services to other lawyers or you could work out of your home almost as a sub-consultant to other lawyers or indeed directly to the clients who consume your services because you may be all that they really need. It could come to pass that in your narrow field of specialty you might know as much as or more about it as the best lawyer.

Indeed, it brings to mind the definitions that I learned in my science degree on the words "specialist" and "generalist," and I'll offer them to the House right now. A specialist is someone who knows more and more about less and less until, pretty soon, he or she knows almost everything about almost nothing.

Interjection: He'll become Liberal leader for sure.

Mr. Delaney: A generalist is someone who knows less and less about more and more until it seems that he or she knows almost nothing about almost everything, which may or may not describe the Leader of the Opposition; I'm not sure.

But that's the situation in which many lawyers and other professionals often find themselves. In looking after a project, in resolving a problem, or perhaps in managing a file, there may be an area that is very, very narrowly defined; very, very specialized.

I know that in my former field of IT this was often the case, and indeed many of the very best programmers I knew were self-taught. You could go to what is considered to be the Harvard of the IT world, which is the University of Waterloo, and you could spend several years getting your degree in computer science, which wouldn't be a bad idea at all. But many people, especially people who began in IT when they were in their 30s or their 40s or even their 50s, learned their craft by picking up the books and reading the books and learning how to program. Many of them turned out to be absolutely gifted in certain narrow areas.

In the past, you would have to write a computer application in a language called assembler, which was something that very, very few people learned to do, and some of the people who kept up their expertise in assembler

code turned out to have a very narrow specialty that many people wanted, but only for certain things.

As it is in IT, where you can be self-taught in something that's very, very narrow in scope, so too you can be in law, where you can learn—and I used the example of either landlord-tenant disputes or contracts earlier. You could know how to write a contract with every permutation and combination, and you could have done it over and over again. Indeed, as a consultant, you often learn that the most profitable consultants aren't the ones who do a broad range of contracts, but the most profitable and successful consultants are the ones who have learned to do a very narrow range of contracts and essentially do the same class of project over and over again. It allows them to offer predictable results and good value to their clients, and it allows their clients equally predictable results and the fact that they may not be paying a sky-high fee for someone to learn the craft that this person has mastered. So too for paralegals.

But how does the public have confidence that a paralegal is doing quality work? Bill 14 sets out a set of checks and balances that are close to the set that circumscribes professions that we're more familiar with, professions such as lawyers, doctors, engineers, accountants, architects and others. We know when we go and see our CA, whether it be for something as simple as our income taxes or whether it be for something that's real value-added such as, "How in my business do I accomplish this, that or the next thing?", what you're getting is the benefit of the expertise of someone who you know has written his—if you're using the example of a chartered accountant—uniform final examinations. You know that they've cleared a whole set of hurdles that say, "I am qualified to offer you advice," in such and such an area.

So too the case with paralegals, and this is the way the Attorney General is trying to move the system forward, to say that it's no longer the Wild West, where anyone can hang out a shingle. Now you're going to have to show that you have a minimum set of qualifications, that you can write a series of examinations, and that when someone comes to see you, they have some idea of what they're likely getting and what you're likely charging and what value you're going to add for the effort that you put into the project. Bill 14, by regulating paralegals, provides that set of checks and balances. It allows it to come into place.

Again, as a former IT person, there's a final point I'd like to make on Bill 14. Bill 14 clarifies how laws are published, how they're used and how they are cited. It allows statutes and regulations published on the e-Laws website to be used as the official version. It's like etching the official version on silicon rather than on paper. If it does nothing more than save some trees from being turned into seldom-read paper, then it's certainly an effort well worth the while.

While we're on the subject of technology, among the things that Bill 14 enables the legal system to do is to use technology to provide witnesses access to court. Among the benefits that this can deliver to many of us is in the

resolution of disputes. Rather than physically having to take a person from wherever they may have to be to wherever the hearing is taking place—or perhaps an examination for discovery or something else—it allows video conferencing or teleconferencing to take the person there. In dispute resolution, which is often a very informal process, the ability to use video conferencing or teleconferencing could be the difference between bringing some crucial information from where it is to where it may be inaccessible to both parties, perhaps someone residing in another country, another province or another time zone, where for both parties it would be uneconomic, infeasible or perhaps even impossible to get the individual from where they are to where the dispute resolution meeting is being held. This way, the person can either plug in at home or go to a central place where, presumably in the future, some smart entrepreneurs will evolve the ability to sit people down in front of a television camera and enable an interactive exchange to take place. Although the person may not be physically present sitting at the meeting, he or she is visible on the screen, just as if the meeting were taking place right there, and can be asked and can answer questions live and in real time. This provides access to the courts for people with disabilities, for example, a point brought up by my colleague from Trinity-Spadina.

1750

Should we have confidence in this? I think we should. We routinely use technology to provide access to our bank accounts. Most of us by now have made at least one financial transaction over the Internet. If you're like me, even as an IT person, the first time I did it, I grasped my credit card and looked at it and typed it all in and I thought to myself, "Gosh, I hope this works." Then I did it and it worked and it was secure. Then I thought to myself, "I routinely have given out my credit card—admittedly to vendors I trust—and my expiration date on the telephone. What is to prevent someone on the telephone from writing down that information and then using it for his or her own ends?" And the answer is, nothing. By putting it in through the process of software, I know that the information has been encrypted, sent and decrypted and then it's been used, and that it's been used only once. So this is much the same level of technology and security that I imagine we're going to be providing here.

Bill 14 enables the justice system to catch up to technology. Bill 14 enables the justice system to enter the 21st century. Bill 14 is far enough ahead of technology that it can anticipate evolutionary advances, such as wireless broadband for AV use. Bill 14 is a software upgrade to Ontario's justice system. It's an intelligent piece of legislation. It's a thoughtful piece of legislation. It's not merely the kind of housecleaning that's long overdue, but it's an evolutionary advance into the 21st century. It's well worth support, and I ask my members to stand and support it when it comes to a vote.

The Deputy Speaker: Pursuant to a motion of the House earlier today, the debate on Bill 14 is now adjourned.

FAMILY STATUTE LAW
AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT DES LOIS
EN CE QUI CONCERNE
DES QUESTIONS FAMILIALES

Mr. Bradley moved third reading of the following bill:

Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access /
Projet de loi 27, Loi modifiant la Loi de 1991 sur l'arbitrage, la Loi sur les services à l'enfance et à la famille et la Loi sur le droit de la famille en ce qui concerne l'arbitrage familial et des questions connexes et modifiant la Loi portant réforme du droit de l'enfance en ce qui concerne les questions que doit prendre en

considération le tribunal qui traite des requêtes en vue d'obtenir la garde et le droit de visite.

The Deputy Speaker (Mr. Bruce Crozier): Debate?

Is it the pleasure of the House that the motion carry?
Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I have a quick point of order, Mr. Speaker: I know I speak on behalf of all members of the Legislative Assembly of Ontario when I wish a happy 85th birthday to Mayor Hazel McCallion of Mississauga.

The Deputy Speaker: I'm sure we'll join you in that wish, particularly on Valentine's Day, at which time all of us here, no doubt, want to wish a loved one a happy Valentine's Day. I know I do.

It being close to 6 of the clock, this House is adjourned until tomorrow at 1:30 of the clock.

The House adjourned at 1756.

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Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman
Speaker / Président: Hon. / L'hon. Michael A. Brown
Clerk / Greffier: Claude L. DesRosiers
Deputy Clerk / Sous-greffière: Deborah Deller
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
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Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Etobicoke-Lakeshore	Broten, Hon. / L'hon. Laurel C. (L) Minister of the Environment / ministre de l'Environnement	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara Falls	Craiton, Kim (L)
Guelph-Wellington	Sandals, Liz (L)	Nickel Belt	Martel, Shelley (ND)

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Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York West / York-Ouest	Sergio, Mario (L)
Sarnia–Lambton	Di Cocco, Caroline (L)	Nepean–Carleton	Vacant
Sault Ste. Marie	Oraziotti, David (L)	Toronto–Danforth	Vacant
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	Whitby–Ajax	Vacant
Scarborough East / Scarborough-Est	Chambers, Hon. / L'hon. Mary Anne V. (L) Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse		
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	Phillips, Hon. / L'hon. Gerry (L) Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	Bradley, Hon. / L'hon. James J. (L) Minister of Tourism, minister responsible for seniors, Government House Leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		
St. Paul's	Bryant, Hon. / L'hon. Michael (L) Attorney General / procureur général		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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